

426 47-33-A PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.2.f. to permit a total sign square footage of 132.54 square feet in lieu of the allowed 100 square feet and permit 5 other business signs in lieu of the allowed 3 other business signs.

signs (700 Eastern Boulevard, Essex, Maryland), for the following reasons: (Indicate hardship or practical difficulty)
1. That without the requested variance, Petitioner will sustain practical difficulty and unreasonable hardship relating to the existing Taco Bell Restaurant at the property.
2. The requested variance will not harm the public health, safety and general welfare of the area, and it is in accordance with the spirit and intent of the Zoning Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: N/A

Legal Owner(s):

Taco Bell Corp.

(Type or Print Name)

Signature

Manager

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Stanley S. Fine, P.A.

(Type or Print Name)

Signature

222 E. Redwood Street, Ste. 300

Address

Baltimore, Maryland 21202

City and State

Attorney's Telephone No.: 752-6597

1940 Route 70 East

Address

Cherry Hill, NJ 08003

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Taco Bell Corp.

Name

Same as above

Address

Phone No.

ORDERED BY The Zoning Commissioner of Baltimore County, this 24th day

of August, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of August, 1986, at 9:45 o'clock

Zoning Commissioner of Baltimore County

(over)

Description for Variance
Taco Bell Corp.
700 Eastern Boulevard
15th Election District

BEGINNING at a corner being the intersection of the northwesterly side of Eastern Avenue (80 feet wide) as shown on the Plat of Essex Block B, Section C, recorded in Plat Book, 7, folio 194 and the northeasterly side of Stewart Avenue (also known as Stuart Avenue), thence extending along the said side of Stewart Avenue on a course of North 27 degrees 8 minutes 40 seconds West 86 feet to a pipe; thence leaving said side of Stewart Avenue and proceeding on a course of North 62 degrees 51 minutes 20 seconds East 190 feet to a pipe; thence on a course of South 27 degrees 8 minutes 40 seconds East 100 feet to a point on the northwesterly side of Eastern Avenue aforesaid; thence along the said side of Eastern Avenue on a course of South 62 degrees 51 minutes 20 seconds West a distance of 172 feet; thence North 70 degrees 1 minute 24 seconds West 19.11 feet to the point of beginning. Containing 0.618 acres of land, more or less.

IN RE: PETITION ZONING VARIANCES *
NE/corner of Eastern Boulevard *
and Stuart Avenue (700 Eastern *
Boulevard) - 15th Election *
District *
Taco Bell Corporation, *
Petitioner *
* * * * *

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-33-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests variances to permit five other business signs totaling 132.54 square feet instead of the permitted three signs totaling 100 square feet, as more particularly described Petitioner's Exhibit 4.

The Petitioner, by David Bock, Area Construction Manager, and Cynthia Marini, District Manager, appeared and was represented by Counsel. There were no Protestants.

Testimony indicated that the subject property is zoned B.L. and that Taco Bell has been at this location since 1980. A pylon sign containing 69 square feet on each side, a single-faced menu board containing 23.55 square feet, and two, double-faced directional signs totaling 16.44 square feet presently exist on the property. There is no advertising on the directional signs. The Petitioner proposes to erect a single-faced, pre-order menu board containing 23.55 square feet and to add the Taco Bell logo to the directional signs, thereby converting them to business signs, for a total of 132.54 square feet of signage.

Although it has been determined that Section 413.2.f, Baltimore County Zoning Regulations (BCZR), clearly requires all sides of a sign to be counted when computing the total signage, at the time the existing pylon sign and directional signs were erected in 1980, the policy of the then Zoning

this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

It is FURTHER ORDERED that a variance to permit five other business signs instead of the permitted three be and is hereby DENIED.

Zoning Commissioner of Baltimore County

At/srl

cc: Stanley S. Fine, Esquire

People's Counsel

Commissioner was to count only one side of a multi-faced sign. Therefore, present policy is to continue counting such signs as originally calculated, unless moved to a new location or enlarged, at which time both sides would be counted. Here, the pylon sign and directional signs are not to be moved.

The pre-order menu board is necessary in order to allow customers to order from the drive-thru, which was added a few months ago. This would enable the Petitioner to compete equitably with its fast-food neighbors. Industry studies indicate that the menu board and pre-menu board are necessary to keep pace with the impatient customer who seeks the drive-thru, fast-food restaurant. The Petitioner also argued for the placement of the logo on the directional signs.

The Petitioner seeks relief from Section 413.2.f, pursuant to Section 307, BCZR.

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Johnson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

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PETITION FOR ZONING VARIANCE

15th Election District

Case No. 87-33-A

LOCATION: Northeast Corner of Eastern Boulevard and Stuart Avenue (700 Eastern Boulevard)

DATE AND TIME: Monday, August 4, 1986, at 9:45 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

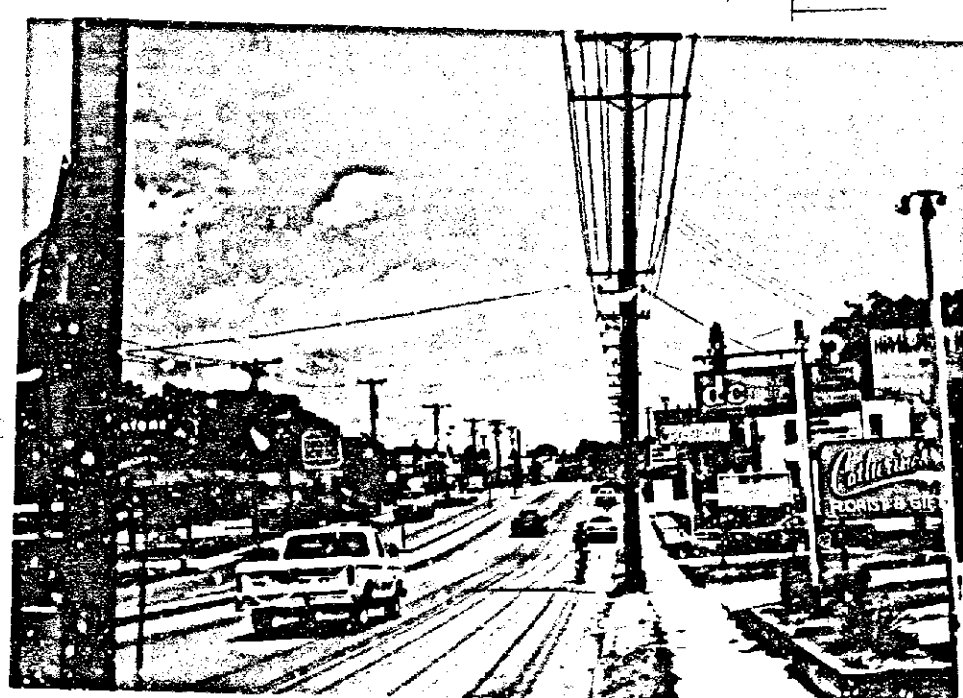
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit 5 other business signs totaling 132.54 square feet in lieu of the permitted 3 other business signs totaling 100 square feet

Being the property of Taco Bell Corp., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



ORDER RECEIVED FOR FILING
DATE August 4, 1986
BY [Signature]

ORDER RECEIVED FOR FILING
DATE August 4, 1986
BY [Signature]

It is clear from the testimony that if a variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if a variance were not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, a variance will not be detrimental to the public health, safety, and general welfare.

Although the Petitioner has satisfied its burden regarding the pre-order menu board, it has not with regard to converting the directional signs to business signs by adding its logo. As important as it may be for the corporate identity of Taco Bell, it adds nothing to the claim of practical difficulty, which forms the basis for granting any variance.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, a variance should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 11th day of August, 1986, that a variance to permit other business signs totaling 116.10 square feet, to include a pylon sign containing 69 square feet, counting only one side, and a menu board and pre-order menu board, each containing 23.55 square feet, be and is hereby GRANTED, from and after the date of this Order, subject to the following:

- The Petitioner may apply for its sign permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason,

- 3 -

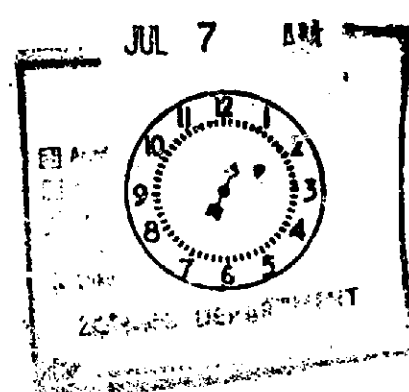
- 4 -

RE: PETITION FOR VARIANCE
NE Corner of Eastern Blvd.
and Stuart Ave. (700
Eastern Ave.), 15th Dist.

TACO BELL CORP., Petitioner
Case No. 87-33-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the
above-captioned matter. Notices should be sent of any hearing dates or
other proceedings in this matter and of the passage of any preliminary
or final Order.



Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 3rd day of July, 1986, a copy of
the foregoing Entry of Appearance was mailed to Stanley S. Fine, P. A.,
222 E. Redwood St., Suite 300, Baltimore, MD 21202, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

Stanley S. Fine, Esquire
222 East Redwood Street
Suite 300
Baltimore, Maryland 21202

June 27, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NE/cor. of Eastern Blvd. and Stuart Ave.
(700 Eastern Blvd.)
15th Election District
Taco Bell Corp. - Petitioner
Case No. 87-33-A

TIME: 9:45 a.m.

DATE: Monday, August 4, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 021709

DATE: 5/20/86 ACCOUNT: 01-415

AMOUNT: \$ 100.00

RECEIVED: STANLEY S. FINE, P.A.

FOR: FILING FEE FOR VARIANCE ITEM No. 426
TACO BELL, INC. (EASTERN AVE.)
BALTIMORE, MARYLAND

VALIDATION OR SIGNATURE OF CASHIER

TACO BELL CORP. SIGNAGE
700 Eastern Boulevard

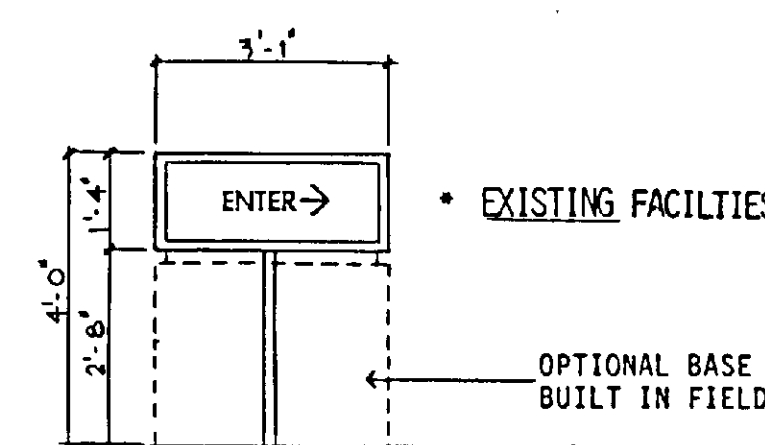
1 pylon sign (refaced)	69.00 sq. ft.
1 menu board (single-faced)	23.55 sq. ft.
1 pre-order menu board (single-faced)	23.55 sq. ft.
2 directional signs (double-faced)	16.44 sq. ft.
Totals: 5 signs	132.54 sq. ft.

Addition 6 426

PETITIONER'S
EXHIBIT 4

OFFICE COPY

EXTERIOR SECONDARY SIGNS



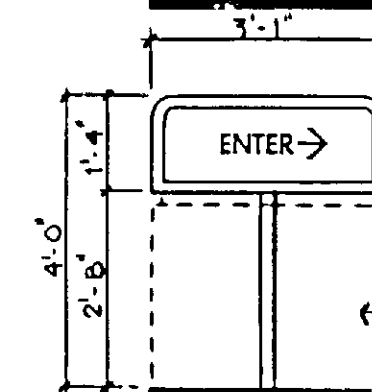
* EXISTING FACILITIES

OPTIONAL BASE
BUILT IN FIELD



* EXISTING FACILITIES

*Note: Square corner trims
are intended for additions to
existing facilities only.



NEW MAINSTREAM MANSARD SITES

OPTIONAL BASE
BUILT IN FIELD



NEW MAINSTREAM MANSARD SITES

SCRIPT OPTIONS:

D-T ONLY
THANK YOU
DO NOT ENTER
D-T+
EXIT+
ENTER ONLY
LEFT ONLY+
EXIT ONLY
ENTER+



426
87-33-A



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JASLON
ZONING COMMISSIONER

July 29, 1986

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Stanley S. Fine, Esquire
222 East Redwood Street
Suite 300
Baltimore, Maryland 21202

RE: PETITION FOR ZONING VARIANCE
NE/cor. of Eastern Blvd. and Stuart Ave.
(700 Eastern Blvd.)
15th Election District
Taco Bell Corp. - Petitioner
Case No. 87-33-A

Dear Mr. Fine:

This is to advise you that \$62.60 is due for advertising
and posting of the above property. This fee must be paid before an
Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON
THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by
this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit
1ding, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 021804

DATE: 8/4/86 ACCOUNT: R-01-615-000

SIGN & POST
TO BE RETURNED

AMOUNT: \$ 62.60

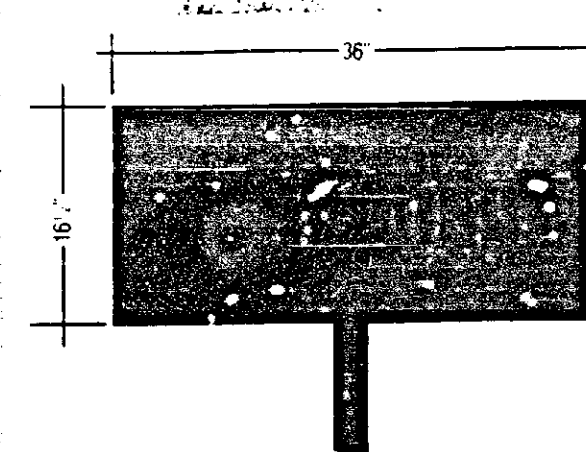
RECEIVED: STANLEY S. FINE, 6209 Careva Drive, Baltimore,

FOR: ADVERTISING & POSTING RE CASE NO. 87-33-A

8 8005*****5254** 8042F

VALIDATION OR SIGNATURE OF CASHIER

DRIVE THRU/MENUBOARD PACKAGE



DIRECTIONAL SIGNS

Polycarbonate, double face,
internally illuminated sign.
Cabinets are constructed of natural
anodized aluminum extrusion
and supported by one square
tube column.

Colors: Bronze Cabinet & Column
Red Letters
Yellow Background

Electrical Requirements: Customer to
supply 1-15 amp 120 volt circuit,
connected load is 80 amps.

OPTIONAL COPY

ENTER (with arrow)
EXIT (with arrow)
ENTER ONLY
LEFT ONLY (with arrow)
DRIVE THRU (with arrow)
DO NOT ENTER
THANK YOU

Note: S F sign is also available

DRIVE THRU MENU BOARD

Polycarbonate single face, internally
illuminated sign cabinet. Constructed
of natural anodized aluminum, and
supported by one square steel column
with an aluminum shroud at the
connection between the sign and the
supporting column. Double doors with
key locks for easy entry.

Menu copy, illustrative transparencies,
and speaker system to be supplied
by others.

Colors: Bronze Cabinet
Yellow Background
Red Letters

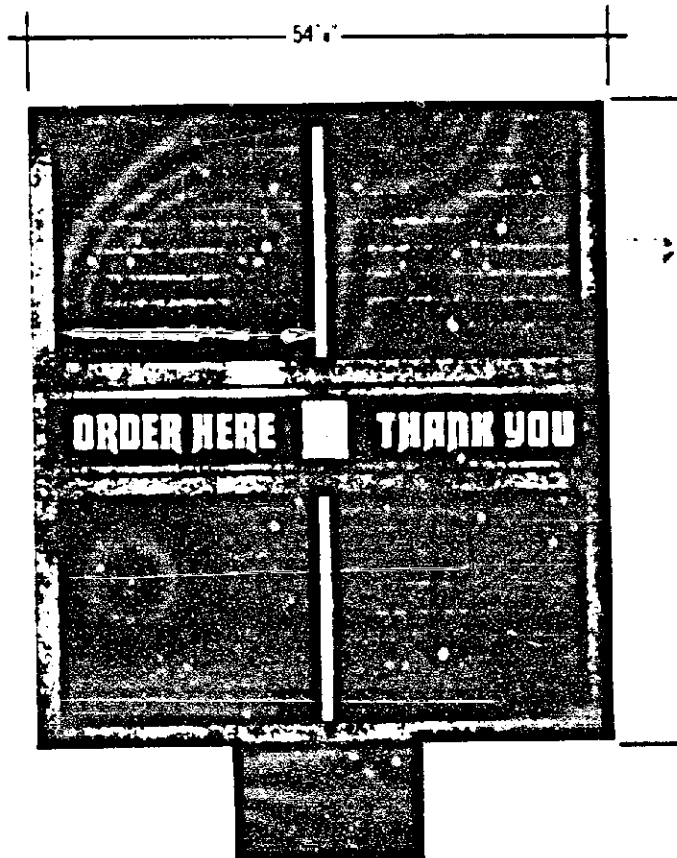
Electrical Requirements: Customer
to supply 1-15 amp 120 volt circuit,
and conduit for connection of speaker and
detector loop. Connected load is 29 amps.

Shown above is the appendage for 12 x 6 1/2" logo
sign. A 14" x 4 1/4" appendage is available with the
8" x 4" logo sign.

Colors: Yellow Cabinet
Yellow Background
Red Letters

Connected Load is 16 amps

PLASTI-LINE, INC.
P.O. Box 10864, Columbia, SC 29208



APPENDAGE SIGNS

Two polycarbonate, single face, internally
illuminated sign cabinets. Designed to attach
to the support column of the logo sign.
Constructed of natural anodized aluminum
extrusion.

Colors: Yellow Cabinet
Yellow Background
Red Letters

Connected Load is 16 amps

PLASTI-LINE, INC.
P.O. Box 10864, Columbia, SC 29208

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
24th day of June, 1986.

ARNOLD JASLON
Zoning Commissioner

Received by: James E. Iyer

Petitioner: Taco Bell Corp.
Petitioner's
Attorney

Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15-24 Date of Posting: 7/6/86

Posted for: Variance

Petitioner: Taco Bell Corp.

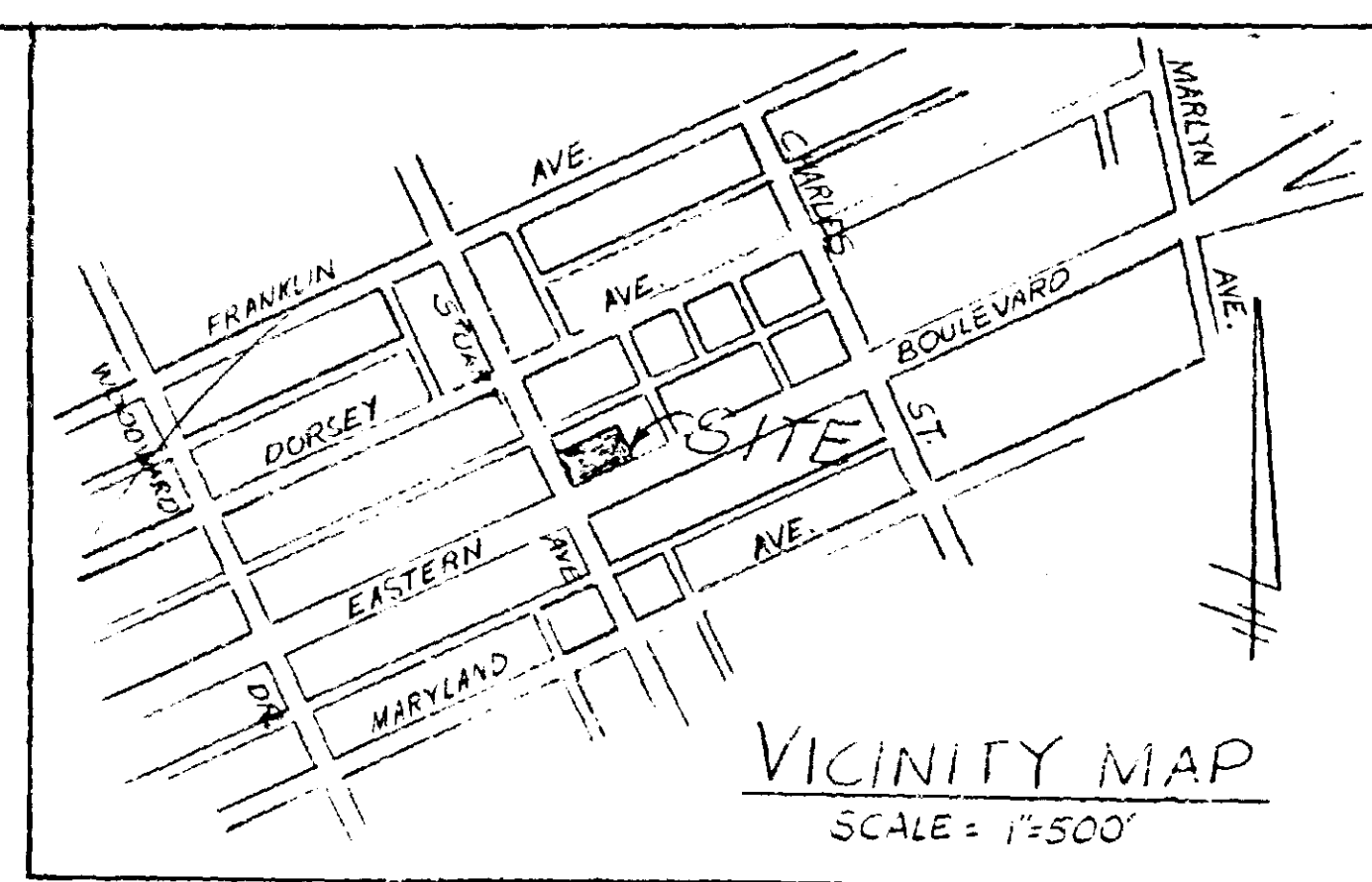
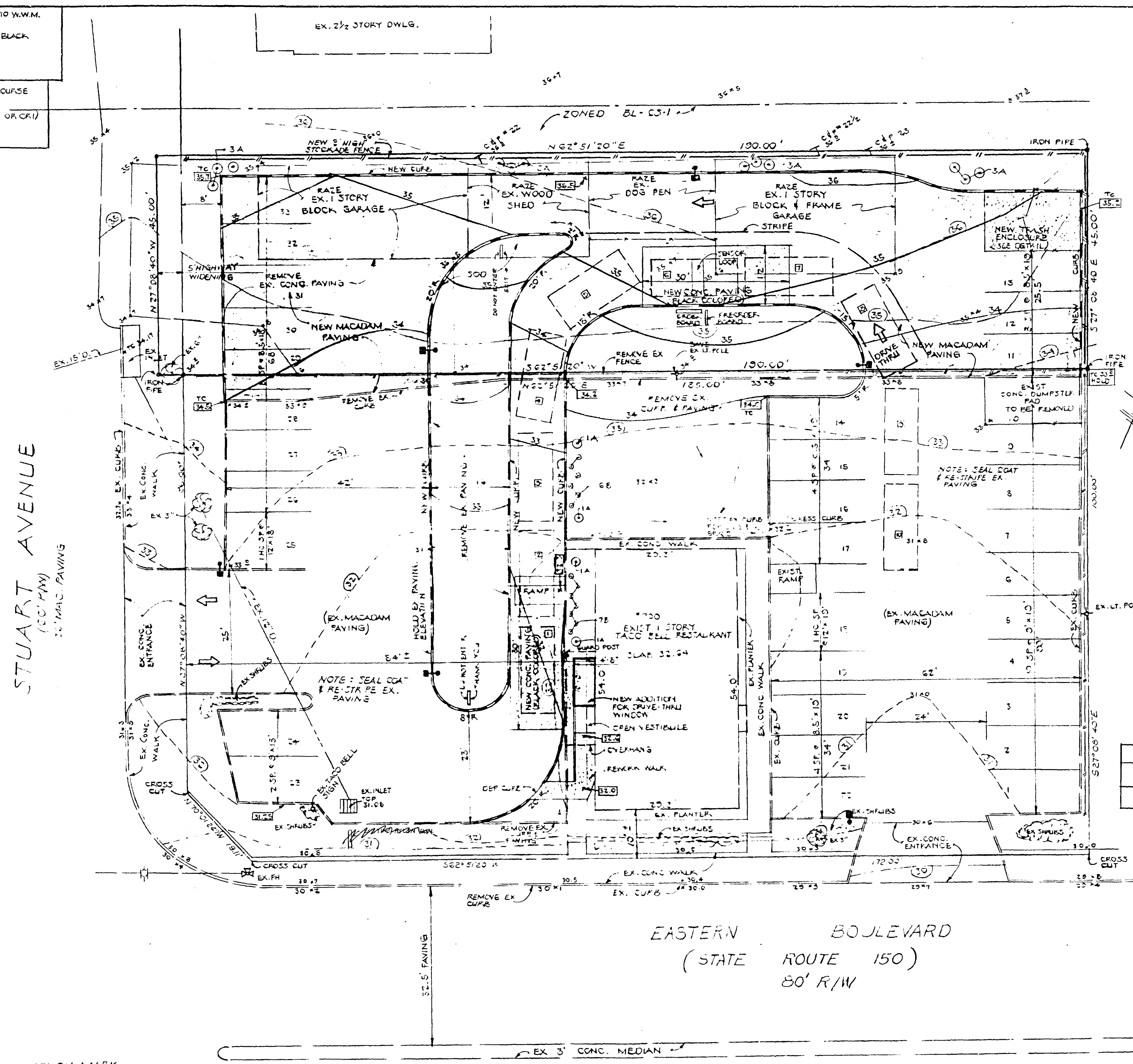
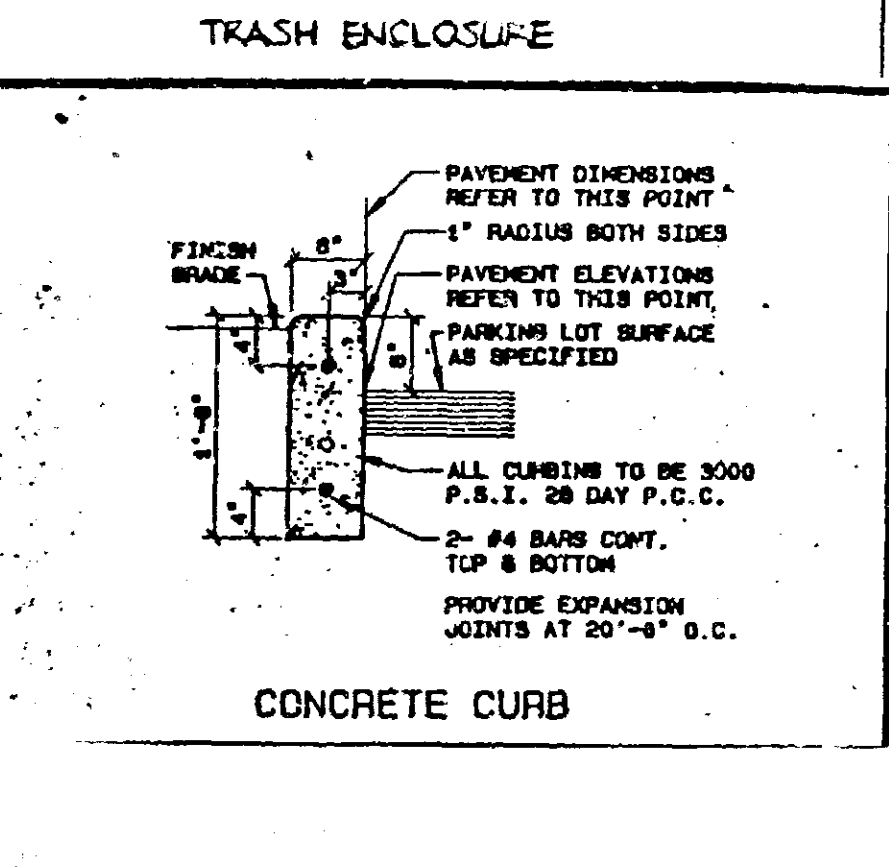
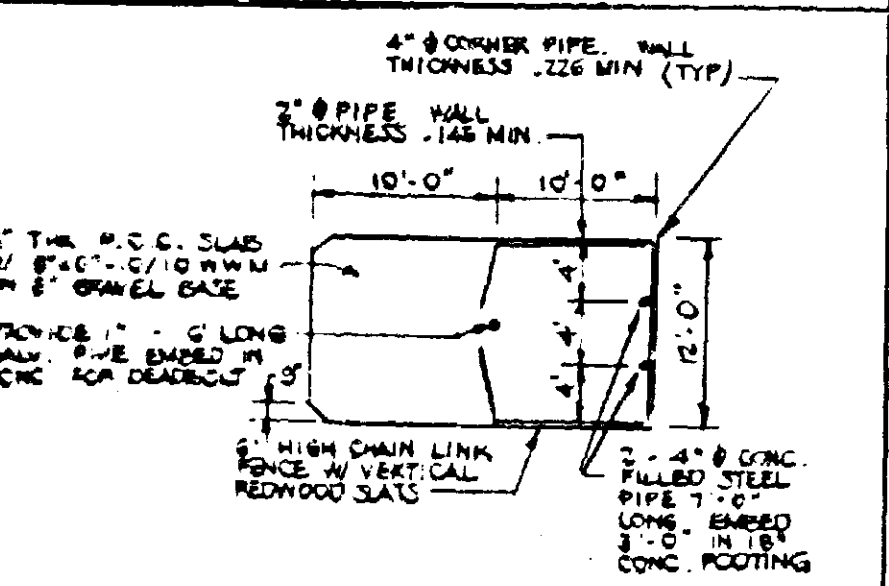
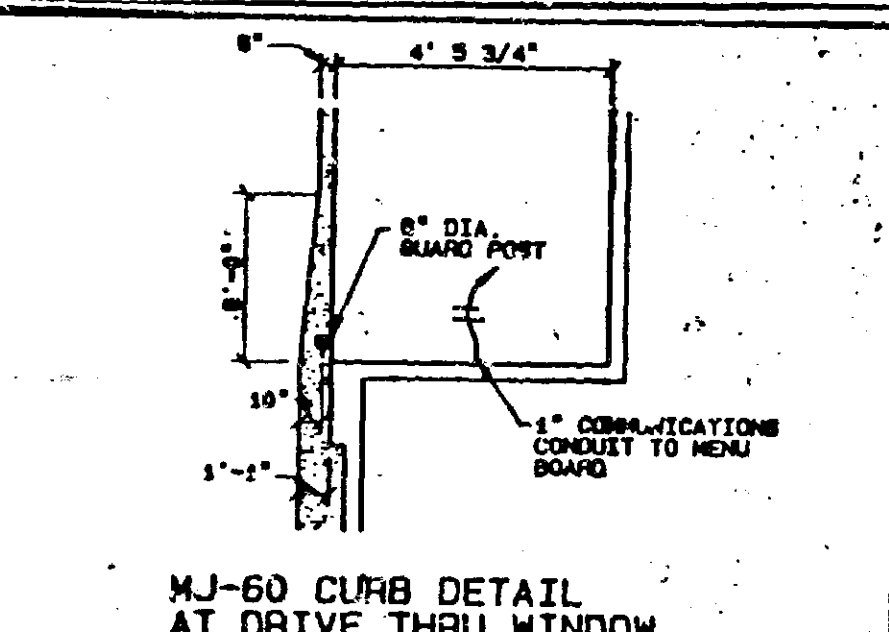
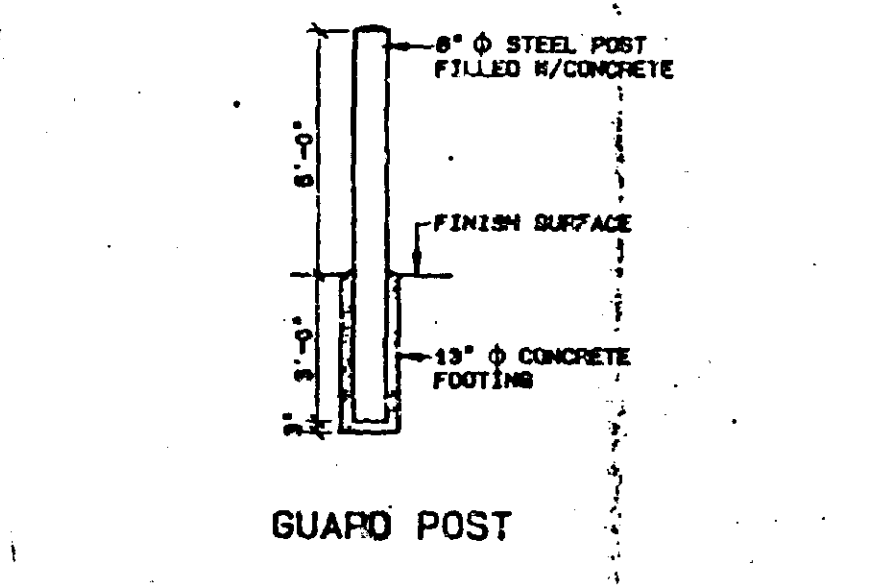
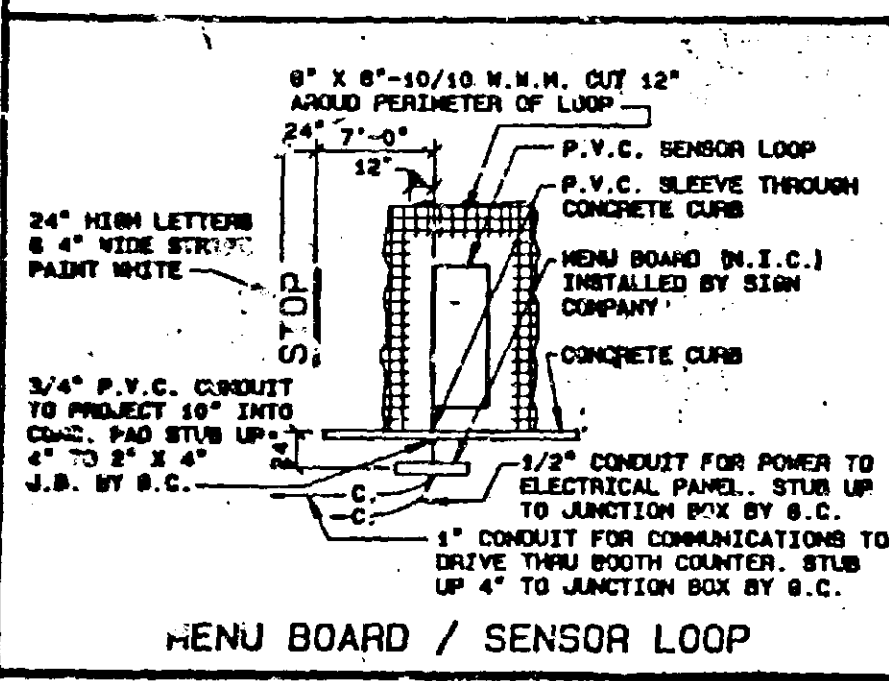
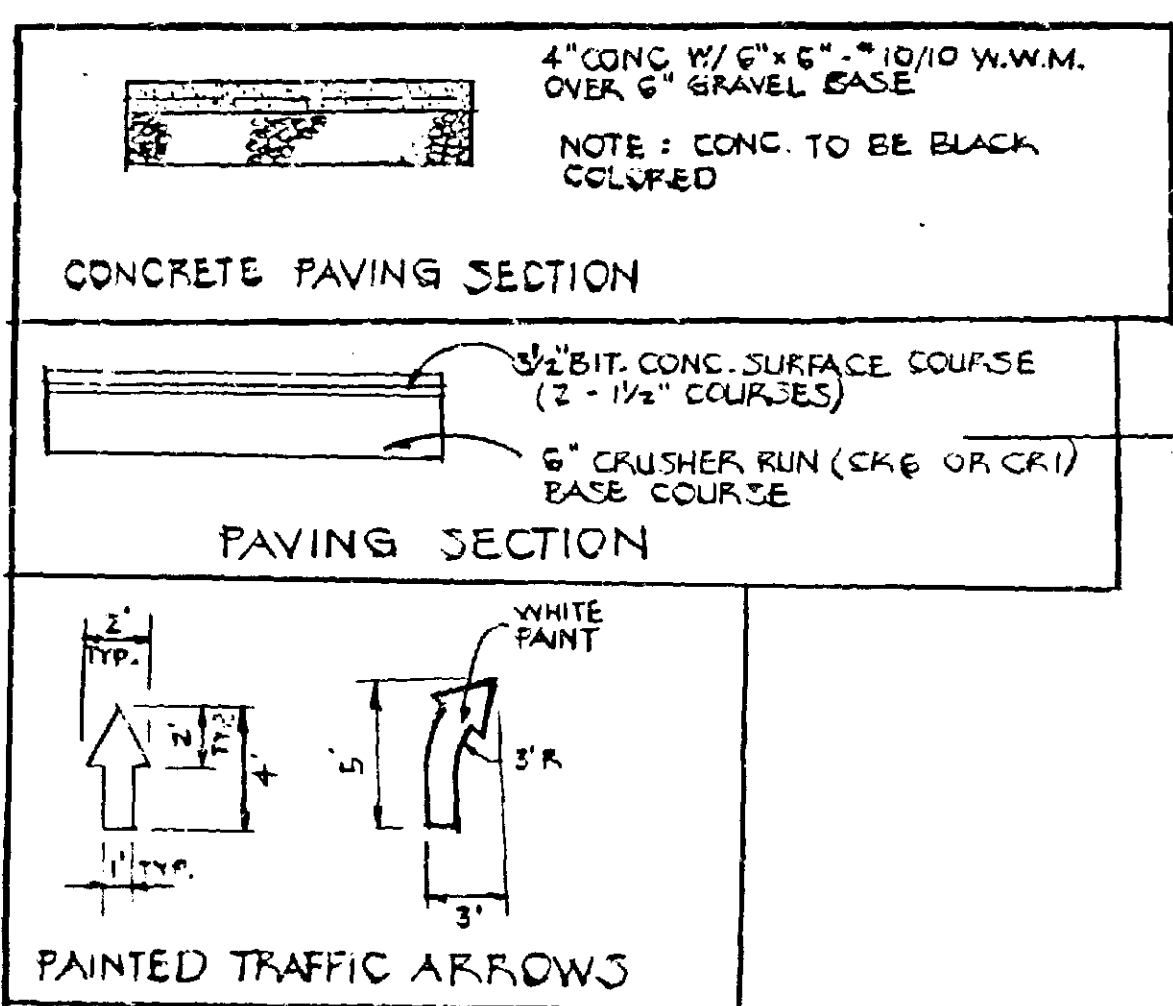
Location of property: NE/cor. Eastern Blvd. & Stuart Ave.

Location of Signs: 700 Eastern Blvd.

Remarks: present E. Baltimore

Posted by: [Signature]

Number of Signs: 1



NOTES:
 1. EX. ZONING BL-C3-1
 2. AREA: 0.618 AC.±
 3. BLDG. AREA: 1029 SF
 4. PARKING DATA
 SPACES REQUIRED: 1629 #/150 = 33 SPACES
 SPACES PROVIDED: 33 INCL. 2 H.D. SPACES

LEGEND
 EXIST. CONTOURS ———— EXIST. ELEV. 35.7
 PROP. CONTOURS ———— PROP. ELEV. 35.71
 NEW CONCRETE CURB
 NEW LT. POLE
 NEW PAVING (MACADAM)
 NEW CONC. PAVING OR WALK
 DRIVE THRU STAGING SPACES
 TRAFFIC ARROWS
 DO NOT ENTER
 DIRECTIONAL LETTERING
 PAINTED WHITE (24\"/>

KEY	QUANT.	BOTANICAL NAME COMMON NAME	SIZE
A	10	TAXUS CUSPIDATA INTERMEDIA MEDIA YEW	30\"/>
B	13	TAXUS CUSPIDATA NANA DWARF YEW	18\"/>

**ENTREPRENEUR'S
 EXHIBIT**

EASTERN BOULEVARD
 (STATE ROUTE 150)
 80' R/W

BENCH MARK
 #12247 ELEV. 30.192
 RR SPIKE IN MACADAM IN
 SE SIDE EASTERN AVE @
 STUART AVE.

PLAN
 SCALE: 1\"/>

PROPOSED DRIVE-THRU
 #1748

TACO BELL

700 EASTERN BOULEVARD & STUART AVENUE
 15TH ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND

SCALE AS SHOWN JAN 2, 1985 REVISIONS
 1-31-85 DUMPSTER LANDSCAPING
 2-22-85 PAVING LAYOUT
 3-28-85

LJB/vf
P/N 19-005-104
6/14/79

LEER 6043 PAGE 0

SPECIAL WARRANTY DEED

THIS DEED, made this 18th day of June, 1979, by and between CITIES SERVICE COMPANY, a Delaware corporation, with offices at the Cities Service Building, Tulsa, Oklahoma 74102, successor to Cities Service Oil Company, a Delaware corporation, by virtue of a Certificate of Ownership and Merger filed in the Office of the Secretary of State of the State of Delaware, on December 20, 1978, effective December 29, 1978, and TACO BELL, a California corporation of 17381 Red Hill Avenue, Irvine, California 92714.

WITNESSETH, That in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, (the actual consideration for this transaction being \$90,500.00) the said CITIES SERVICE COMPANY grants unto said TACO BELL all that property situated in Election District No. 15, County of Baltimore, State of Maryland, and described as follows:

BEGINNING at a corner being the intersection of the northwesterly side of Eastern Avenue (80 feet wide) as shown on the Plat of Essex Block B, Section C, recorded in Plat Book 7, folio 194 and the northwesterly side of Stewart Avenue (also known as Stuart Avenue); thence extending along the said side of Stewart Avenue on a course of North 27 degrees 5 minutes 40 seconds West 100 feet to a pipe; thence leaving said side of Stewart Avenue and proceeding on a course of North 62 degrees 51 minutes 20 seconds East 190 feet to a pipe; thence on a course of South 27 degrees 8 minutes 40 seconds East 100 feet to a point on the northwesterly side of Eastern Avenue; thence along the said side of Eastern Avenue on a course of South 62 degrees 51 minutes 20 seconds West a distance of 190 feet to the first mentioned point and place of beginning. SAVING AND EXCEPTING therefrom all that lot of ground in a Deed dated May 9, 1958 and recorded among the Land Records of Baltimore County in Liber C.L.B. 3364, folio 441 from Tide Water Realty Company to Baltimore County, Maryland.

BEING the same property, which by Deed dated January 3, 1959, and recorded among

Eastern Blvd. over Stuart Ave.

72764 135750

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 17, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 17, 1986.

THE JEFFERSONIAN,

Cost of Advertising

24.75

PETITION FOR ZONING VARIANCE
Case No. 87-33-A
LOCATION: Northeast Corner of Eastern Boulevard and Stuart Avenue (100 Eastern Boulevard)
DATE AND TIME: Monday, August 4, 1986, at 9:00 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for Zoning Variance to permit 5 other business signs totaling 132.54 square feet in lieu of the permitted 100 square feet.
Being the property of Taco Bell Corp., as shown on plat filed with the Zoning Office.
In the event that the Petitioner's request for a building permit may be granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
7130 July 17, 1986

LJB/vf
P/N 19-005-104
6/14/79

LEER 6043 PAGE 0

the Land Records of Baltimore County, in Liber O.T.G. No. 4956, folio 69, was granted and conveyed by Albert Shotmeyer, et al., unto Cities Service Oil Company.

SUBJECT to any condition that an accurate survey or an inspection of the premises might show and to covenants, easements and restrictions of record.

CITIES SERVICE COMPANY covenants that it will warrant specially the property hereby conveyed and will execute such further assurances of the same as may be requisite.

IN WITNESS WHEREOF, CITIES SERVICE COMPANY has caused this instrument to be signed by its Vice President, Petroleum Products Group, duly authorized, and its corporate seal to be hereunto affixed by its Assistant Secretary, duly authorized, the day, month, and year above stated.

Attest:

Lewis J. Haines
Lewis J. Haines
Assistant Secretary

R. Scott Van Dyke
R. Scott Van Dyke
Vice President, Petroleum Products Group

STATE OF OKLAHOMA }
COUNTY OF TULSA } SS:

I hereby certify that on this 18th day of June, 1979, before the subscriber, a Notary Public, personally appeared R. SCOTT VAN DYKE, Vice President, Petroleum Products Group, of CITIES SERVICE COMPANY, and on behalf of said corporation, did acknowledge the foregoing instrument to be the act and deed of CITIES SERVICE COMPANY.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix my official seal.

Albert Baker
Albert Baker
Notary Public

My Commission Expires:
January 21, 1981.

This instrument prepared by: Lewis J. Haines, Attorney
Address: P.O. Box 300
Tulsa, Oklahoma 74102

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

Date: July 18, 1986

SUBJECT: Zoning Petition No. 87-33-A

This office does not support the granting of the subject request. We believe that the standards set forth in the Baltimore County Zoning Regulations provide for ample signage.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JGH:slm

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 15, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Stanley S. Fine, Esquire
222 E. Redwood Street, Suite 300
Baltimore, Maryland 21202

RE: Item No. 426 - Case No. 87-33-A
Petitioner: Taco Bell Corp.
Petition for Zoning Variance

Dear Mr. Fine:

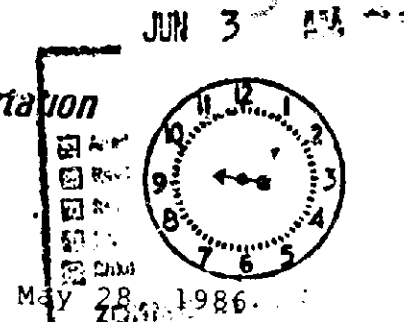
The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb
Enclosures



William K. Heilmann
Secretary
Hal Katsoff
Administrator

Mr. A. Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attn: Mr. James Dyer

Re: ZAC Meeting of 5-27-86
ITEM: 426.
Property Owner: Taco Bell Corporation
Location: NE Corner Eastern Blvd. Route 150, 6 Stuart Avenue
Existing Zoning: B.L.-CS1
Proposed Zoning: Variance to permit a total sign square footage of 132.54 square feet in lieu of the allowed 100 square feet and permit 5 other business signs in lieu of the allowed 3 other business signs
Acres: 0.618 acres
District: 15th Election District

Dear Mr. Jablon:

On review of the submittal for sign variance, the site plan has been forwarded to the State Highway Administration Beautification Section, c/o Morris Stein (659-1642) for all comments relative to zoning.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

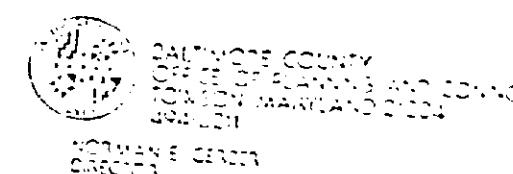
By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle
Mr. M. Stein (w-attachment)

My telephone number is (301) 659-1350

Teleprinter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717, 707 North Calvert St., Baltimore, Maryland 21203 - 0717



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JULY 11, 1986

Re: Zoning Advisory Meeting of May 27, 1986
Item 426 - TACO BELL CORP.
Location: NE CORNER OF EASTERN BLVD. + STUART AVE.

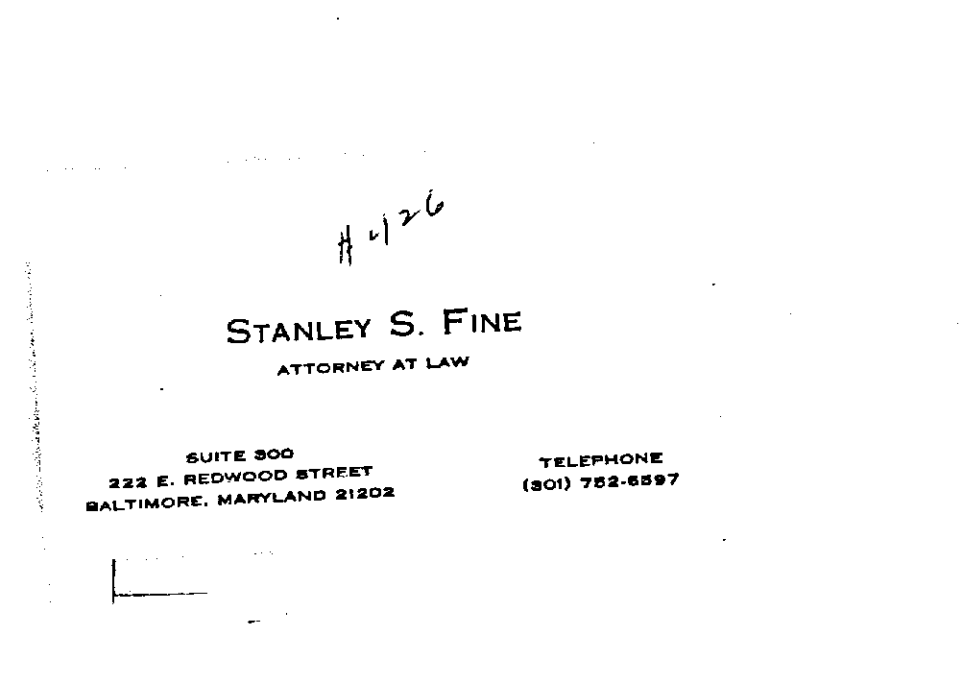
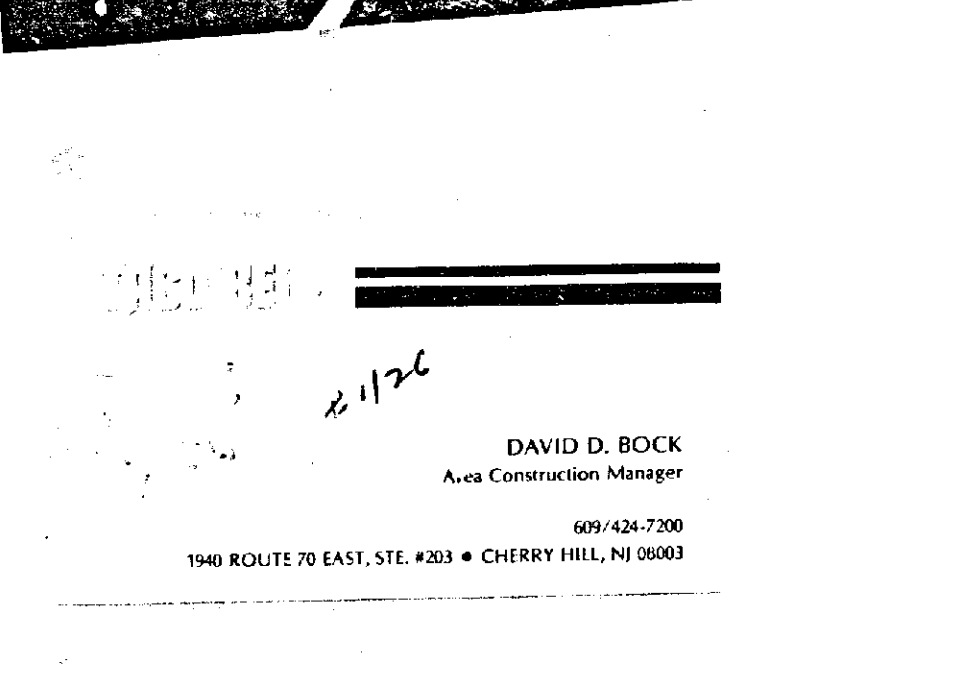
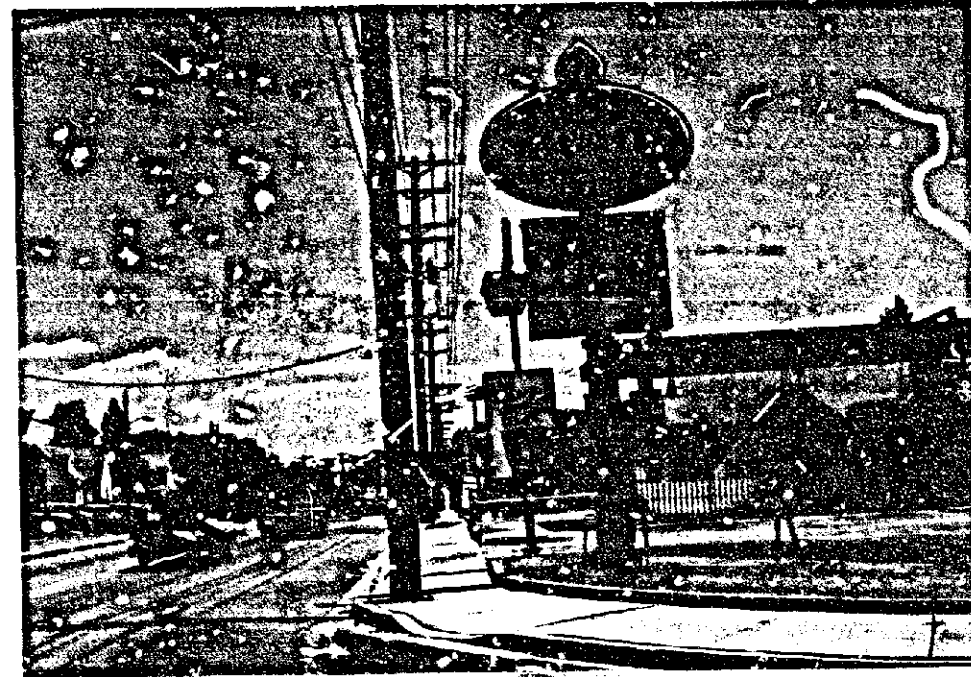
Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Board meeting is required.
- ☒ The County Review Board meeting was held and the minutes will be filed by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ In recordable plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement site is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-53 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The proposed development plan was approved by the Planning Board on [blank].
- ☒ The property is located within Baltimore County's Land Use Plan.
- ☒ The property is located in a deficient service area as defined by Bill 123-79. No building permits may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [blank].
- ☒ The property is located in a deficient area as defined by a non-level intersection as defined by Bill 123-79, and its conditions change the annual traffic volume to the County Council. The deficient service is [blank].

cc: James Hovell

James E. Dyer
Chairman, Current Planning and Development



DAVID D. BOCK
A-1 Construction Manager
609/426-7200
1940 ROUTE 70 EAST, STE. #203 • CHERRY HILL, NJ 08003

STANLEY S. FINE
ATTORNEY AT LAW
SUITE 200
225 E. RICHWOOD STREET
BALTIMORE, MARYLAND 21202
TELEPHONE
(410) 782-6597

BALTIMORE COUNTY DEPARTMENT OF HEALTH
Date JUNE 2 1986
Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204
Zoning Item # 426, Zoning Advisory Committee Meeting of May 27, 1986
Property Owner: TACO BELL Corp.
Location: NE corner of Eastern Blvd & Stuart Ave District 15th
Water Supply Public Sewage Disposal Public

- COMMENTS ARE AS FOLLOWS:
- (X) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval. For additional information contact Mr. Jesse Butcher at 494-3970.
 - () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
 - () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
 - () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
 - () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
 - () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
 - () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
 - () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.
- SS 20 1082 (1)

- Zoning Item # 426 Zoning Advisory Committee Meeting of May 27, 1986
Page 2
- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
 - () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
 - () Soil percolation tests (have been/must be) conducted.
 - { } The results are valid until _____.
 - { } Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
 - () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
 - () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
 - { } shall be valid until _____.
 - { } is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
 - () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
 - () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
 - () Others _____

[Signature]
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF
Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

June 3, 1986

RE: Property Owner: Taco Bell Corp.
Location: NE corner Eastern Blvd. & Stuart Avenue
Item No.: 426 Zoning Agenda: Meeting of May 27, 1986
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
 - () 2. A second means of vehicle access is required for the site.
 - () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
 - () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
 - () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
 - () 6. Site plans are approved, as drawn.
 - (X) 7. The Fire Prevention Bureau has no comment at this time.
- REVIEWER: John F. O'Neill Noted and Approved: John F. O'Neill
Planning Group Fire Prevention Bureau
Special Inspection Division
- /mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

July 9, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204
Dear Mr. Jablon:
Comments on Item # 426 Zoning Advisory Committee Meeting are as follows:
Property Owner: Taco Bell Corporation
Location: NE Corner Eastern Blvd. and Stuart Avenue
District: 15th.

- APPLICABLE CODES ARE CITED:
- A. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, "The Maryland Code for the Building and Apes (A.B.S.I. #117-1-1980) and other applicable Codes and Standards.
 - B. A building and other miscellaneous permits shall be required before the start of any construction.
 - C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
 - D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
 - E. All Use Groups except R-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party exterior wall within 3'-0" of an interior lot line.
 - F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
 - G. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
 - H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Uses _____. See Section 312 of the Building Code.
 - I. The proposed project appears to be located in a Flood Plain, Flood Hazard Area. Please see the attached copy of Section 615.0 of the Building Code as adopted by Bill #17-85. The plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
 - J. Comments: Signs shall comply with Article 19 as amended.

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 N. Chesapeake Avenue, Towson, Maryland 21204.

[Signature]
Building Plans Review

4/4/86
87-39-4

4/22/86

426 47-33-A PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.2.f. to permit a total sign square footage of 132.54 square feet in lieu of the allowed 100 square feet and permit 5 other business signs in lieu of the allowed 3 other business signs.

1700 Eastern Boulevard, Essex, Maryland. The undersigned, legal owner(s) of the property situate in Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
1. That without the requested variance, Petitioner will sustain practical difficulty and unreasonable hardship relating to the existing Taco Bell Restaurant at the property.
2. The requested variance will not harm the public health, safety and general welfare of the area, and it is in accordance with the spirit and intent of the Zoning Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: N/A

Legal Owner(s):

Taco Bell Corp.

(Type or Print Name)

Signature

David D. Bock, Area Construction Manager

(Type or Print Name)

Signature

1940 Route 70 East

Address

Cherry Hill, NJ 08003

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Taco Bell Corp.

Name

Same as above

Address

Phone No.

Attorney's Telephone No.: 752-6597

Address

Phone No.

City and State

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Description for Variance
Taco Bell Corp.
700 Eastern Boulevard
15th Election District

BEGINNING at a corner being the intersection of the northwesterly side of Eastern Avenue (80 feet wide) as shown on the Plat of Essex Block B, Section C, recorded in Plat Book, 7, folio 194 and the northeasterly side of Stewart Avenue (also known as Stuart Avenue); thence extending along the said side of Stewart Avenue on a course of North 27 degrees 8 minutes 40 seconds West 86 feet to a pipe; thence leaving said side of Stewart Avenue and proceeding on a course of North 62 degrees 51 minutes 20 seconds East 190 feet to a pipe; thence on a course of South 27 degrees 8 minutes 40 seconds East 100 feet to a point on the northwesterly side of Eastern Avenue aforesaid; thence along the said side of Eastern Avenue on a course of South 62 degrees 51 minutes 20 seconds West a distance of 172 feet; thence North 70 degrees 1 minute 24 seconds West 19.11 feet to the point of beginning. Containing 0.618 acres of land, more or less.

IN RE: PETITION ZONING VARIANCES * BEFORE THE
NE/corner of Eastern Boulevard * ZONING COMMISSIONER
and Stuart Avenue (700 Eastern * OF BALTIMORE COUNTY
Boulevard) - 15th Election *
District *
Taco Bell Corporation, * Case No. 87-33-A
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests variances to permit five other business signs totaling 132.54 square feet instead of the permitted three signs totaling 100 square feet, as more particularly described Petitioner's Exhibit 4.

The Petitioner, by David Bock, Area Construction Manager, and Cynthia Marini, District Manager, appeared and was represented by Counsel. There were no Protestants.

Testimony indicated that the subject property is zoned B.L. and that Taco Bell has been at this location since 1980. A pylon sign containing 69 square feet on each side, a single-faced menu board containing 23.55 square feet, and two, double-faced directional signs totaling 16.44 square feet presently exist on the property. There is no advertising on the directional signs. The Petitioner proposes to erect a single-faced, pre-order menu board containing 23.55 square feet and to add the Taco Bell logo to the directional signs, thereby converting them to business signs, for a total of 132.54 square feet of signage.

Although it has been determined that Section 413.2.f, Baltimore County Zoning Regulations (BCZR), clearly requires all sides of a sign to be counted when computing the total signage, at the time the existing pylon sign and directional signs were erected in 1980, the policy of the then Zoning

this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

It is FURTHER ORDERED that a variance to permit five other business signs instead of the permitted three be and is hereby DENIED.

At/srl

cc: Stanley S. Fine, Esquire

People's Counsel

Signature of Zoning Commissioner of Baltimore County

Commissioner was to count only one side of a multi-faced sign. Therefore, present policy is to continue counting such signs as originally calculated, unless moved to a new location or enlarged, at which time both sides would be counted. Here, the pylon sign and directional signs are not to be moved.

The pre-order menu board is necessary in order to allow customers to order from the drive-thru, which was added a few months ago. This would enable the Petitioner to compete equitably with its fast-food neighbors. Industry studies indicate that the menu board and pre-menu board are necessary to keep pace with the impatient customer who seeks the drive-thru, fast-food restaurant. The Petitioner also argued for the placement of the logo on the directional signs.

The Petitioner seeks relief from Section 413.2.f, pursuant to Section 307, BCZR.

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Johnson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

- 2 -

PETITION FOR ZONING VARIANCE

15th Election District

Case No. 87-33-A

LOCATION: Northeast Corner of Eastern Boulevard and Stuart Avenue (700 Eastern Boulevard)

DATE AND TIME: Monday, August 4, 1986, at 9:45 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit 5 other business signs totaling 132.54 square feet in lieu of the permitted 3 other business signs totaling 100 square feet

Being the property of Taco Bell Corp., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



ORDER RECEIVED FOR FILING
DATE August 4, 1986
BY [Signature]

ORDER RECEIVED FOR FILING
DATE August 4, 1986
BY [Signature]

- 3 -

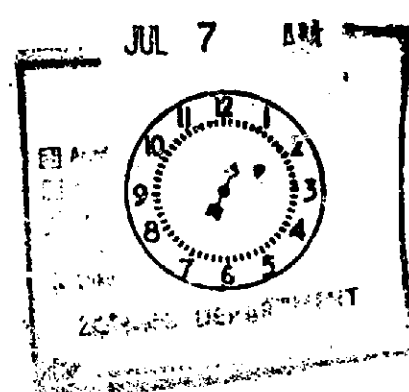
- 4 -

RE: PETITION FOR VARIANCE
NE Corner of Eastern Blvd.
and Stuart Ave. (700
Eastern Ave.), 15th Dist.

TACO BELL CORP., Petitioner
Case No. 87-33-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the
above-captioned matter. Notices should be sent of any hearing dates or
other proceedings in this matter and of the passage of any preliminary
or final Order.



Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 3rd day of July, 1986, a copy of
the foregoing Entry of Appearance was mailed to Stanley S. Fine, P. A.,
222 E. Redwood St., Suite 300, Baltimore, MD 21202, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

Stanley S. Fine, Esquire
222 East Redwood Street
Suite 300
Baltimore, Maryland 21202

June 27, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NE/cor. of Eastern Blvd. and Stuart Ave.
(700 Eastern Blvd.)
15th Election District
Taco Bell Corp. - Petitioner
Case No. 87-33-A

TIME: 9:45 a.m.

DATE: Monday, August 4, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 021709

DATE: 5/20/86 ACCOUNT: 01-415

AMOUNT: \$ 100.00

RECEIVED: STANLEY S. FINE, P.A.

FOR: FILING FEE FOR VARIANCE ITEM No. 426
TACO BELL, INC. (EASTERN AVE.)
Baltimore, Maryland

VALIDATION OR SIGNATURE OF CASHIER

TACO BELL CORP. SIGNAGE
700 Eastern Boulevard

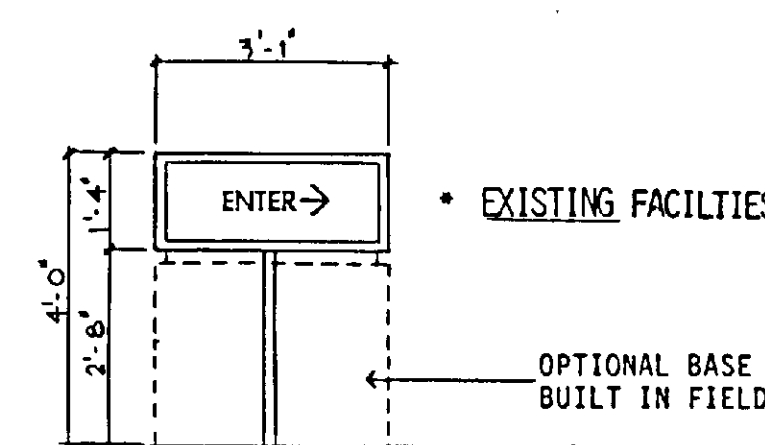
1 pylon sign (refaced)	69.00 sq. ft.
1 menu board (single-faced)	23.55 sq. ft.
1 pre-order menu board (single-faced)	23.55 sq. ft.
2 directional signs (double-faced)	16.44 sq. ft.
Totals: 5 signs	132.54 sq. ft.

Addition 6 426

PETITIONER'S
EXHIBIT 4

OFFICE COPY

EXTERIOR SECONDARY SIGNS



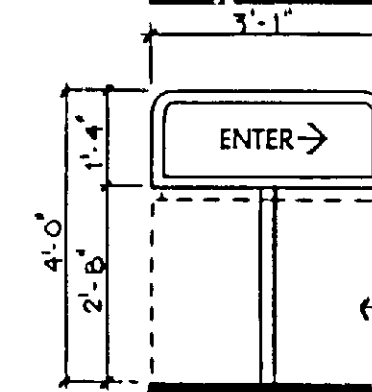
* EXISTING FACILITIES

OPTIONAL BASE
BUILT IN FIELD



* EXISTING FACILITIES

*Note: Square corner trims
are intended for additions to
existing facilities only.



NEW MAINSTREAM MANSARD SITES

OPTIONAL BASE
BUILT IN FIELD



NEW MAINSTREAM MANSARD SITES

SCRIPT OPTIONS:

D-T ONLY
THANK YOU
DO NOT ENTER
D-T+
EXIT+
ENTER ONLY
LEFT ONLY+
EXIT ONLY
ENTER+



426
87-33-A



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JASLOW
ZONING COMMISSIONER

July 29, 1986

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Stanley S. Fine, Esquire
222 East Redwood Street
Suite 300
Baltimore, Maryland 21202

RE: PETITION FOR ZONING VARIANCE
NE/cor. of Eastern Blvd. and Stuart Ave.
(700 Eastern Blvd.)
15th Election District
Taco Bell Corp. - Petitioner
Case No. 87-33-A

Dear Mr. Fine:

This is to advise you that \$62.60 is due for advertising
and posting of the above property. This fee must be paid before an
Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON
THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by
this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit
1ding, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 021804

DATE: 8/4/86 ACCOUNT: R-01-615-000

SIGN & POST
TO BE RETURNED

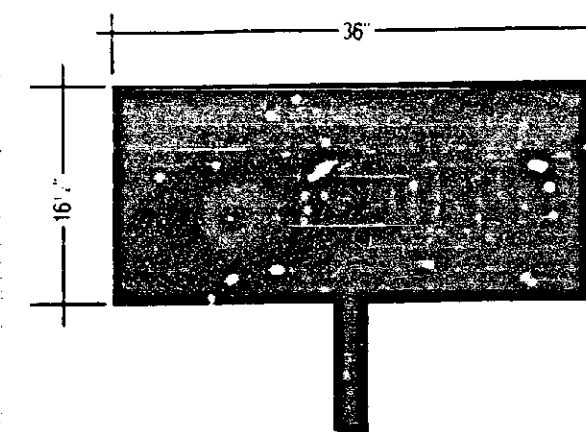
AMOUNT: \$ 62.60

RECEIVED: STANLEY S. FINE, 6209 Careva Drive, Baltimore,
MD, 21208

FOR: ADVERTISING & POSTING RE CASE NO. 87-33-A

VALIDATION OR SIGNATURE OF CASHIER

DRIVE THRU/MENUBOARD PACKAGE



DIRECTIONAL SIGNS

Polycarbonate, double face,
internally illuminated sign.
Cabinets are constructed of natural
anodized aluminum extrusion
and supported by one square
tube column.

Colors: Bronze Cabinet & Column
Red Letters
Yellow Background

Electrical Requirements: Customer to
supply 1-15 amp 120 volt circuit,
connected load is 80 amps.

OPTIONAL COPY

ENTER (with arrow)
EXIT (with arrow)
ENTER ONLY
LEFT ONLY (with arrow)
DRIVE THRU (with arrow)
DO NOT ENTER
THANK YOU

Note: S F sign is also available

DRIVE THRU MENU BOARD

Polycarbonate single face, internally
illuminated sign cabinet. Constructed
of natural anodized aluminum, and
supported by one square steel column
with an aluminum shroud at the
connection between the sign and the
supporting column. Double doors with
key locks for easy entry.

Menu copy, illustrative transparencies,
and speaker system to be supplied
by others.

Colors: Bronze Cabinet
Yellow Background
Red Letters

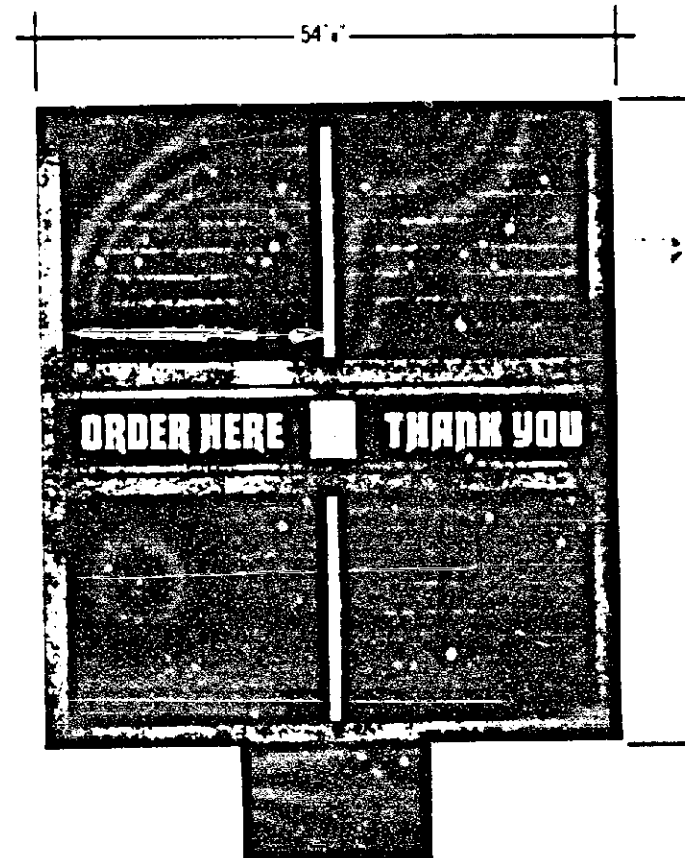
Electrical Requirements: Customer
to supply 1-15 amp 120 volt circuit,
connected load is 29 amps

Shown above is the appendage for 12 x 6 1/2" logo
sign. A 14" x 4 1/4" appendage is available with the
8' x 4' logo sign.

Colors: Yellow Cabinet
Yellow Background
Red Letters

Connected Load is 16 amps

PLASTI-LINE, INC.
P.O. Box 10864, Columbia, SC 29208



APPENDAGE SIGNS

Two polycarbonate, single face, internally
illuminated sign cabinets. Designed to attach
to the support column of the logo sign.
Constructed of natural anodized aluminum
extrusion.

Colors: Yellow Cabinet
Yellow Background
Red Letters

Connected Load is 16 amps

PLASTI-LINE, INC.
P.O. Box 10864, Columbia, SC 29208

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
24th day of June, 1986.

ARNOLD JASLOW
Zoning Commissioner

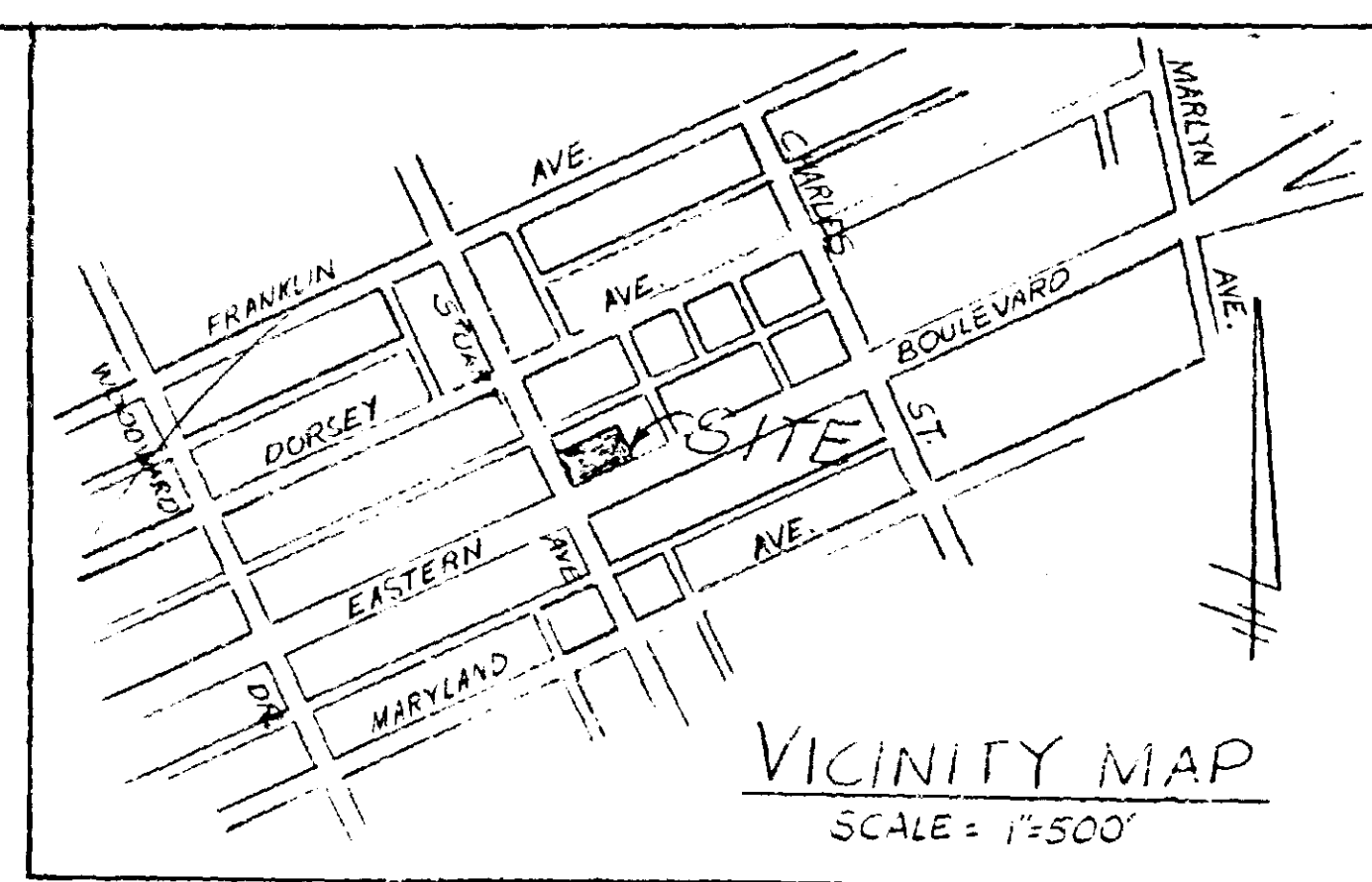
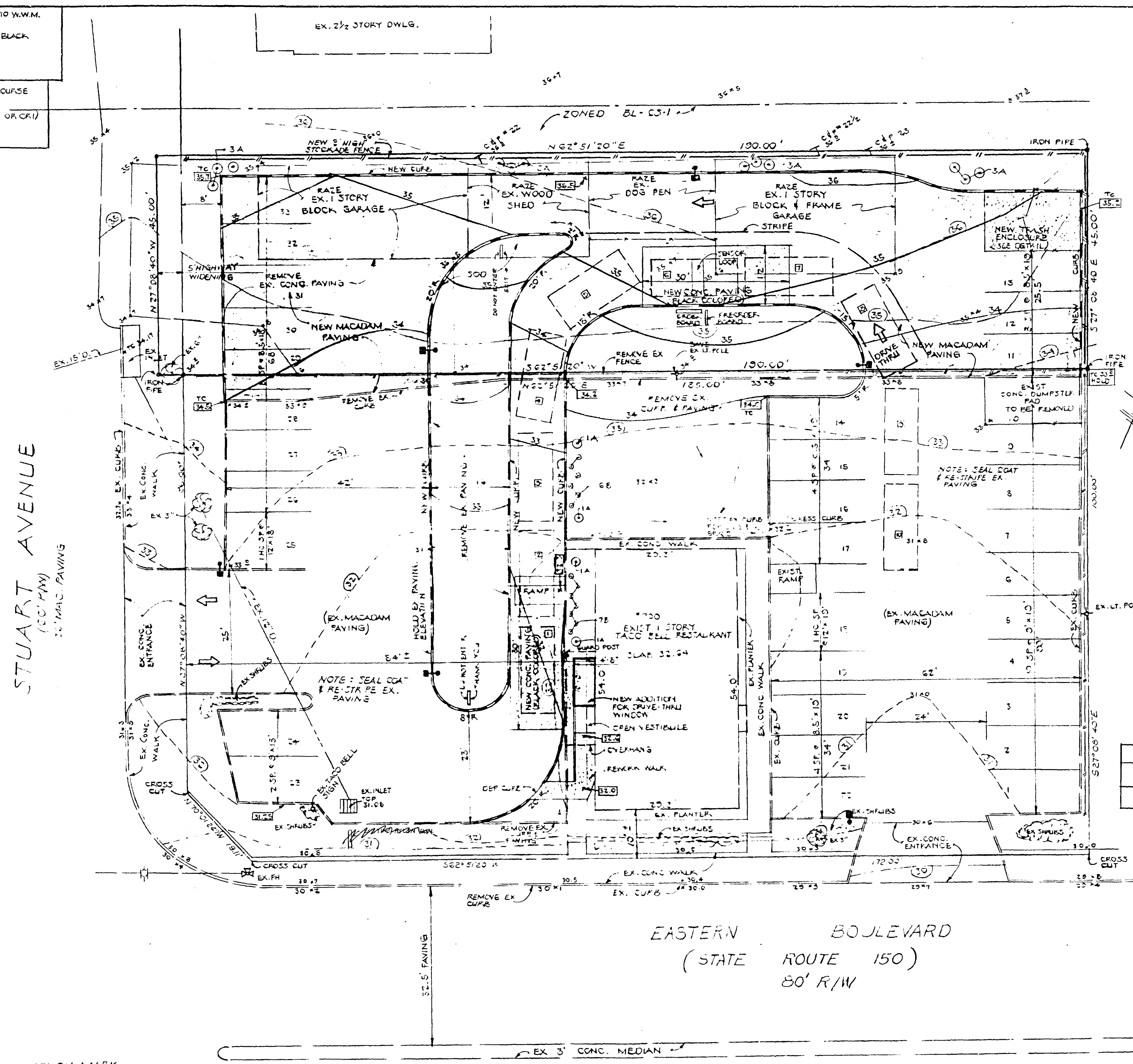
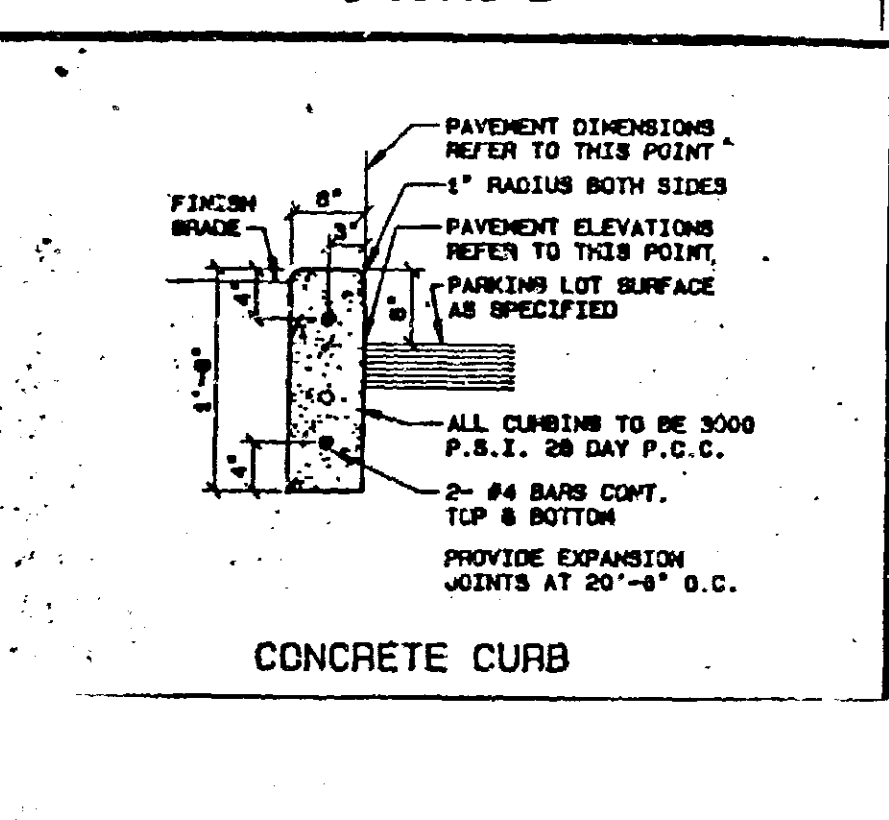
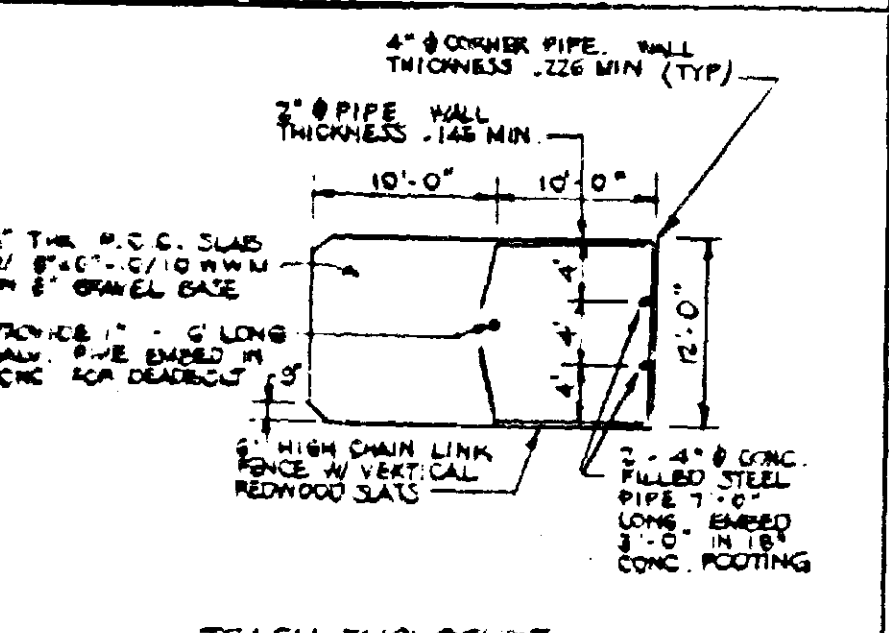
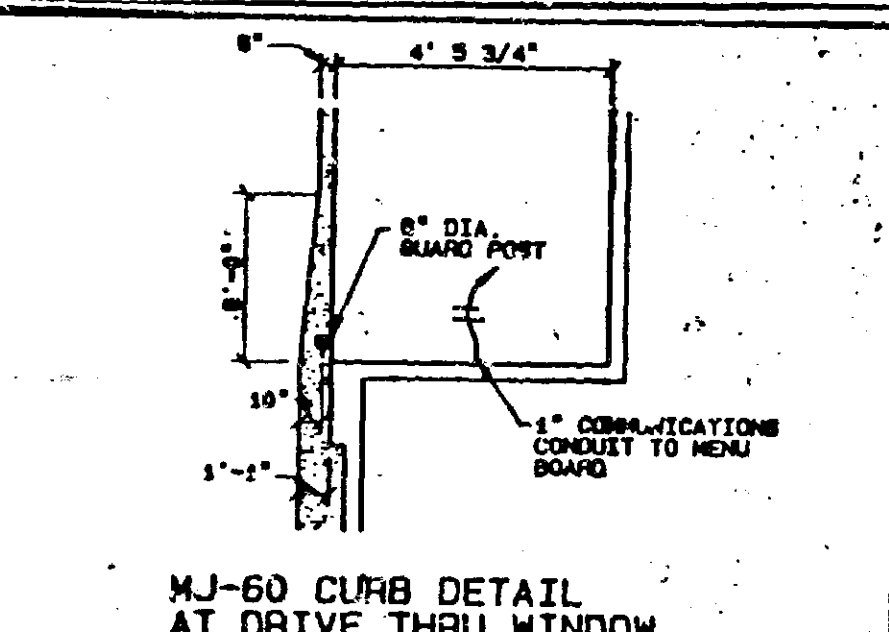
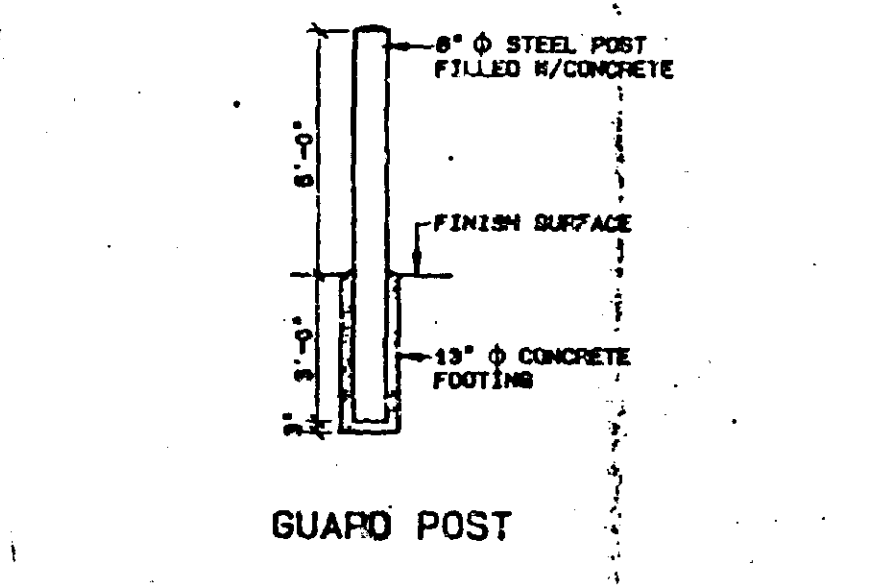
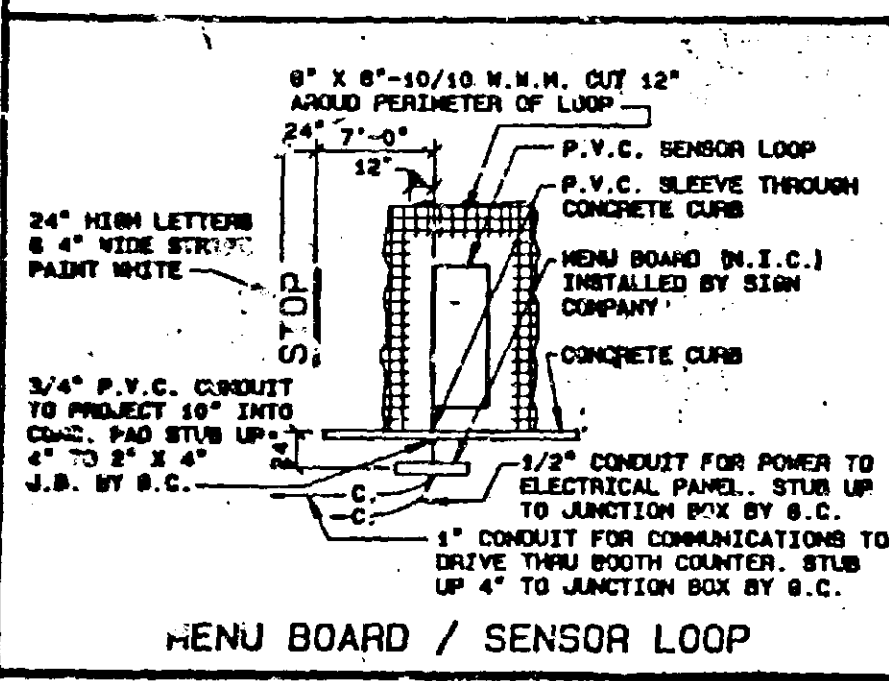
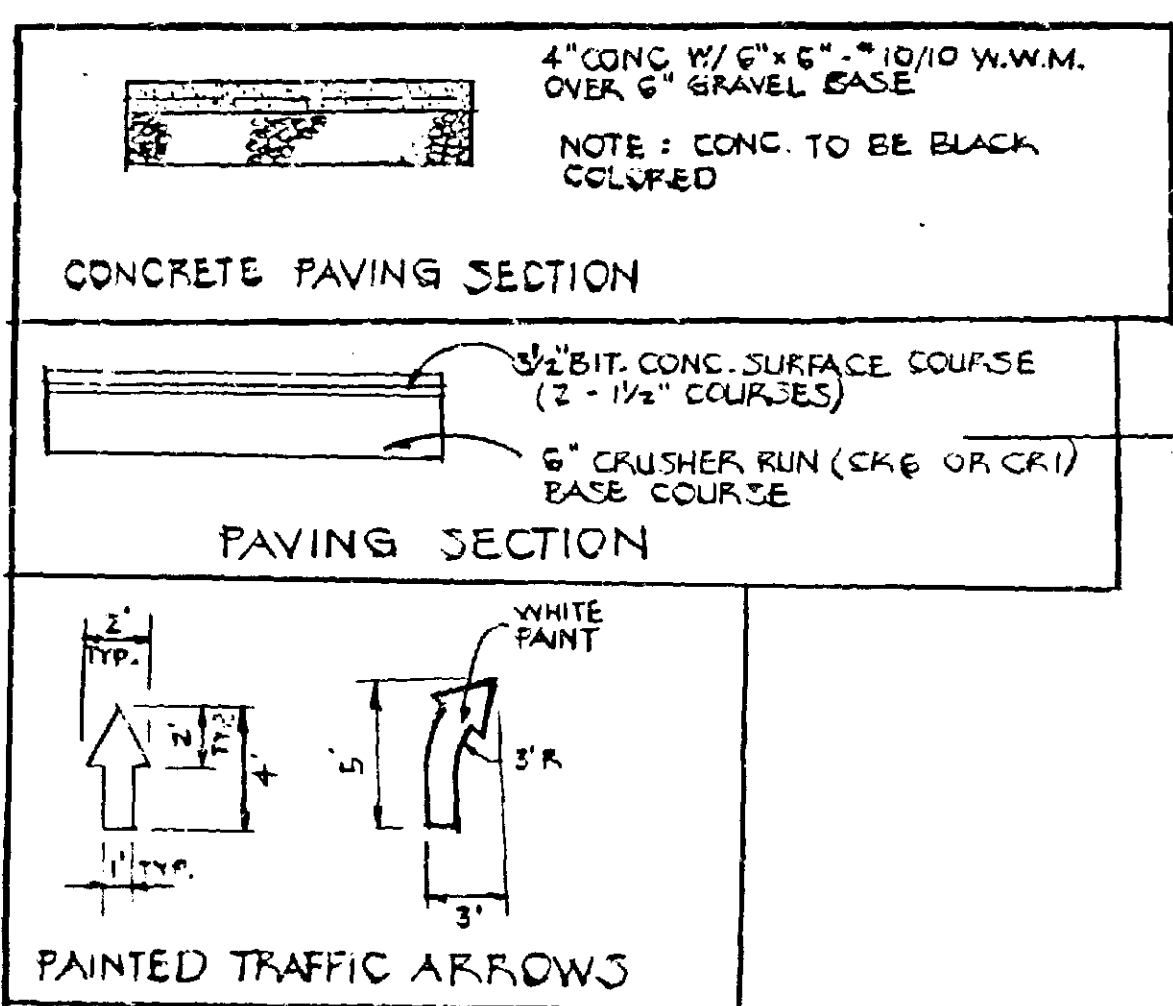
Received by: James E. Iyer

Petitioner: Taco Bell Corp.
Petitioner's
Attorney

Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15-24 Date of Posting: 7/6/86
Posted for: Variance
Petitioner: Taco Bell Corp.
Location of property: NE/cor. Eastern Blvd. & Stuart Ave.
700 Eastern Blvd.
Location of Signs: Easton, Eastern Blvd. corner 8th & Eastern Ave.,
presently E. Baltimore
Remarks: 12/11/86
Posted by: 12/11/86 Date of return: 12/11/86
Number of Signs: 1



NOTES:
 1. EX. ZONING BL-C3-1
 2. AREA: 0.618 AC.±
 3. BLDG. AREA: 1029 SF
 4. PARKING DATA
 SPACES REQUIRED: 1629 #/150 = 33 SPACES
 SPACES PROVIDED: 33 INCL. 2 H.D. SPACES

LEGEND
 EXIST. CONTOURS ———— EXIST. ELEV. 35.7
 PROP. CONTOURS ———— PROP. ELEV. 35.71
 NEW CONCRETE CURB
 NEW LT. POLE
 NEW PAVING (MACADAM)
 NEW CONC. PAVING OR WALK
 DRIVE THRU STAGING SPACES
 TRAFFIC ARROWS
 DO NOT ENTER
 DIRECTIONAL LETTERING
 PAINTED WHITE (24\"/>

KEY	QUANT.	BOTANICAL NAME COMMON NAME	SIZE
A	10	TAXUS CUSPIDATA INTERMEDIA MEDIA YEW	30\"/>
B	13	TAXUS CUSPIDATA NANA DWARF YEW	18\"/>

PREPARED BY
EXHIBIT 1

PROPOSED DRIVE-THRU
 #1748
TACO BELL
 700 EASTERN BOULEVARD & STUART AVENUE
 15TH ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND

SCALE AS SHOWN	JAN 2, 1985	REVISIONS 1-31.66 DUMPSTER LANDSCAPING 2-22.50 PAVING LAYOUT 3-22.50
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BENCH MARK
 #12247 ELEV. 30.192
 RR SPIKE IN MACADAM IN
 SE SIDE EASTERN AVE @
 STUART AVE.

PLAN
 SCALE: 1"=10'

LJB/vf
P/N 19-005-104
6/14/79

LEER 6043 PAGE 0

SPECIAL WARRANTY DEED

THIS DEED, made this 18th day of June, 1979, by and between CITIES SERVICE COMPANY, a Delaware corporation, with offices at the Cities Service Building, Tulsa, Oklahoma 74102, successor to Cities Service Oil Company, a Delaware corporation, by virtue of a Certificate of Ownership and Merger filed in the Office of the Secretary of State of the State of Delaware, on December 20, 1978, effective December 29, 1978, and TACO BELL, a California corporation of 17381 Red Hill Avenue, Irvine, California 92714.

WITNESSETH, That in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, (the actual consideration for this transaction being \$90,500.00) the said CITIES SERVICE COMPANY grants unto said TACO BELL all that property situated in Election District No. 15, County of Baltimore, State of Maryland, and described as follows:

BEGINNING at a corner being the intersection of the northwesterly side of Eastern Avenue (80 feet wide) as shown on the Plat of Essex Block B, Section C, recorded in Plat Book 7, folio 194 and the northeasterly side of Stewart Avenue (also known as Stuart Avenue); thence extending along the said side of Stewart Avenue on a course of North 27 degrees 5 minutes 40 seconds West 100 feet to a pipe; thence leaving said side of Stewart Avenue and proceeding on a course of North 62 degrees 51 minutes 20 seconds East 190 feet to a pipe; thence on a course of South 27 degrees 8 minutes 40 seconds East 100 feet to a point on the northwesterly side of Eastern Avenue; thence along the said side of Eastern Avenue on a course of South 62 degrees 51 minutes 20 seconds West a distance of 190 feet to the first mentioned point and place of beginning. SAVING AND EXCEPTING therefrom all that lot of ground in a Deed dated May 9, 1958 and recorded among the Land Records of Baltimore County in Liber C.L.B. 3364, folio 441 from Tide Water Realty Company to Baltimore County, Maryland.

BEING the same property, which by Deed dated January 3, 1959, and recorded among

Eastern Blvd. over Stuart Ave.

72764 135750

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 17, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 17, 1986.

THE JEFFERSONIAN,

Cost of Advertising

24.75

PETITION FOR ZONING VARIANCE
Case No. 87-33-A
LOCATION: Northeast Corner of Eastern Boulevard and Stuart Avenue (100 Eastern Boulevard)
DATE AND TIME: Monday, August 4, 1986, at 9:00 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Zoning Variance to permit 5 other business signs totaling 132.54 square feet in lieu of the permitted 100 square feet.
Being the property of Taco Bell Corp., as shown on plat filed with the Zoning Office.
In the event that the Petitioner's request for a building permit may be granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
7130 July 17, 1986

LJB/vf
P/N 19-005-104
6/14/79

LEER 6043 PAGE 0

the Land Records of Baltimore County, in Liber O.T.G. No. 4956, folio 69, was granted and conveyed by Albert Shotmeyer, et al., unto Cities Service Oil Company.

SUBJECT to any condition that an accurate survey or an inspection of the premises might show and to covenants, easements and restrictions of record.

CITIES SERVICE COMPANY covenants that it will warrant specially the property hereby conveyed and will execute such further assurances of the same as may be requisite.

IN WITNESS WHEREOF, CITIES SERVICE COMPANY has caused this instrument to be signed by its Vice President, Petroleum Products Group, duly authorized, and its corporate seal to be hereunto affixed by its Assistant Secretary, duly authorized, the day, month, and year above stated.

Attest:

Lewis J. Haines
Lewis J. Haines
Assistant Secretary

R. Scott Van Dyke
R. Scott Van Dyke
Vice President, Petroleum Products Group

STATE OF OKLAHOMA }
COUNTY OF TULSA } SS:

I hereby certify that on this 18th day of June, 1979, before the subscriber, a Notary Public, personally appeared R. SCOTT VAN DYKE, Vice President, Petroleum Products Group, of CITIES SERVICE COMPANY, and on behalf of said corporation, did acknowledge the foregoing instrument to be the act and deed of CITIES SERVICE COMPANY.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix my official seal.

Albert Baker
Albert Baker
Notary Public

My Commission Expires:
January 21, 1981.

This instrument prepared by: Lewis J. Haines, Attorney
Address: P.O. Box 300
Tulsa, Oklahoma 74102

-2-

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

Date: July 18, 1986

SUBJECT: Zoning Petition No. 87-33-A

This office does not support the granting of the subject request. We believe that the standards set forth in the Baltimore County Zoning Regulations provide for ample signage.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JGH:slm

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 15, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Planning
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Stanley S. Fine, Esquire
222 E. Redwood Street, Suite 300
Baltimore, Maryland 21202

RE: Item No. 426 - Case No. 87-33-A
Petitioner: Taco Bell Corp.
Petition for Zoning Variance

Dear Mr. Fine:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

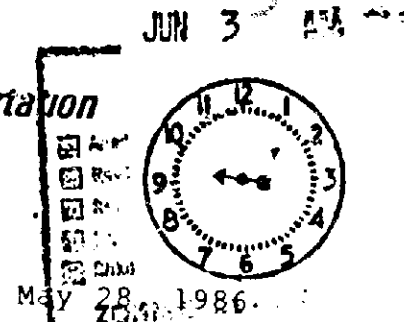
James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures



State Highway Administration



William K. Hellmuth
Secretary
Hal Katsoff
Administrator

Mr. A. Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attn: Mr. James Dyer

Re: ZAC Meeting of 5-27-86
ITEM: 426.
Property Owner: Taco Bell Corporation
Location: NE Corner Eastern Blvd. Route 150, 6 Stuart Avenue
Existing Zoning: B.L.-CS1
Proposed Zoning: Variance to permit a total sign square footage of 132.54 square feet in lieu of the allowed 100 square feet and permit 5 other business signs in lieu of the allowed 3 other business signs
Acreage: 0.618 acres
District: 15th Election District

Dear Mr. Jablon:

On review of the submittal for sign variance, the site plan has been forwarded to the State Highway Administration Beautification Section, c/o Morris Stein (659-1642) for all comments relative to zoning.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

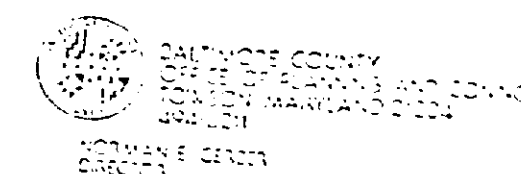
By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle
Mr. M. Stein (w-attachment)

My telephone number is (301) 659-1350

Teleprinter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717, 707 North Calvert St., Baltimore, Maryland 21203 - 0717



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JULY 11, 1986

Re: Zoning Advisory Meeting of May 27, 1986
Item 426 - TACO BELL CORP.
Location: NE CORNER OF EASTERN BLVD. & STUART AVE.

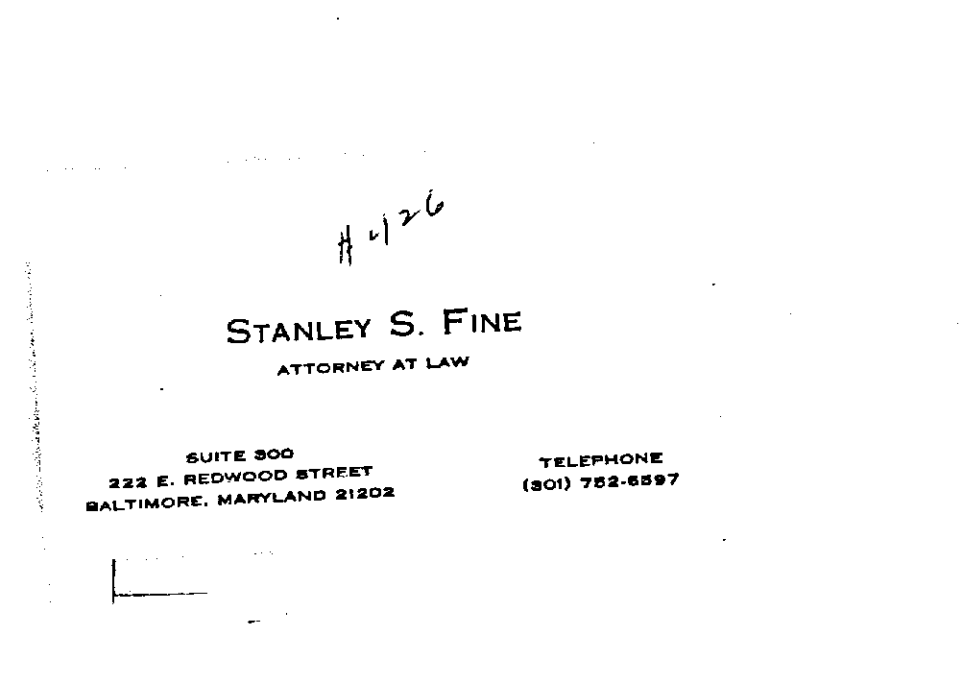
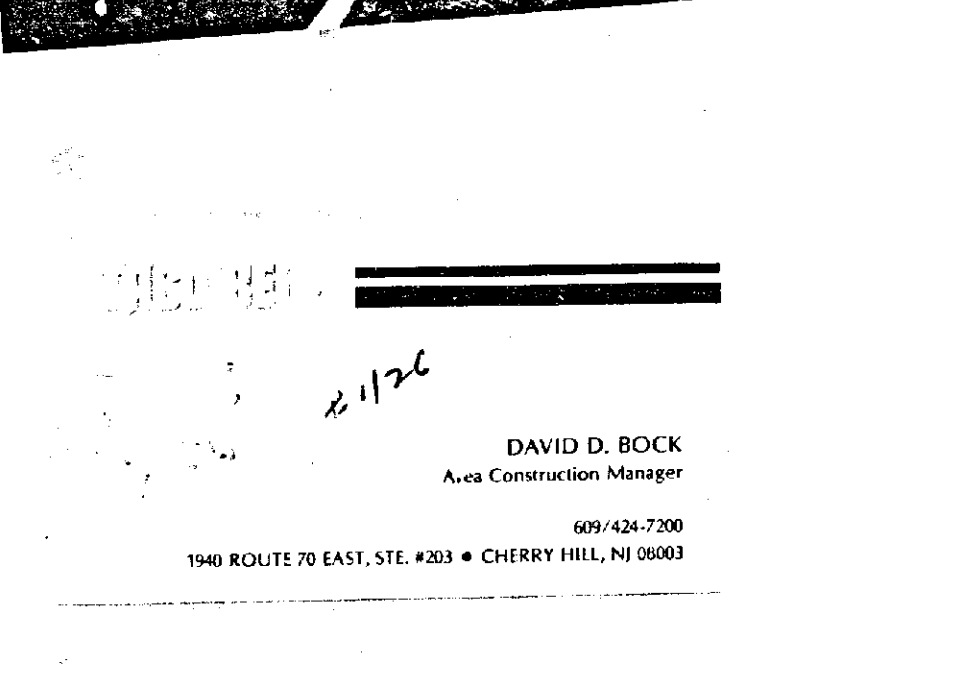
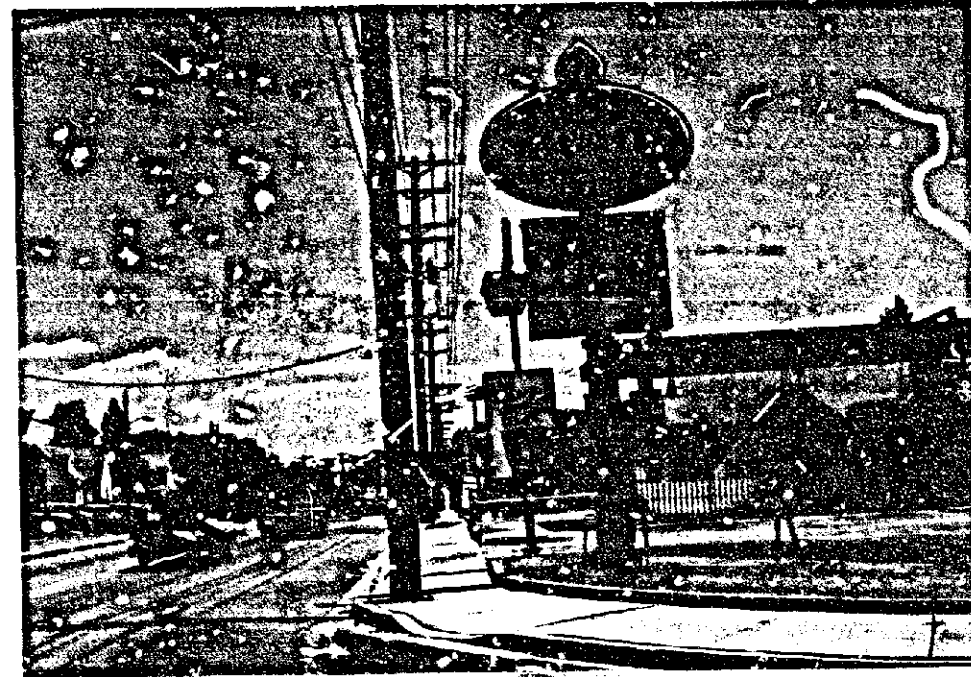
Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Board meeting is required.
- ☒ The County Review Board meeting was held and the minutes will be filed by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ In recordable plans will be required and must be recorded prior to issuance of a building permit.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement site is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-53 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The proposed development plan was approved by the Planning Board on [blank].
- ☒ The property is located within Baltimore County's Land Use Plan.
- ☒ Bill 123-79, "No Building Permits May be Issued until a Reserve Capacity Use Certificate has been issued. The coefficient service is [blank]."
- ☒ The property is located in a traffic area controlled by a non-level intersection as defined by Bill 123-79, and its conditions change the annual traffic volume to the County Council.

cc: James Hovell

James E. Dyer
Chairman, Current Planning and Development



DAVID D. BOCK
A-1 Construction Manager
609/426-7200
1940 ROUTE 70 EAST, STE. #203 • CHERRY HILL, NJ 08003

STANLEY S. FINE
ATTORNEY AT LAW
SUITE 200
225 E. RICHWOOD STREET
BALTIMORE, MARYLAND 21202
TELEPHONE
(410) 782-6597

JUNE 2 1986
Date

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 426, Zoning Advisory Committee Meeting of May 27, 1986

Property Owner: Taco Bell Corp.

Location: NE Corner of Eastern Blvd. & Stuart Ave. District 15th

Water Supply Public Sewage Disposal Public

COMMENTS ARE AS FOLLOWS:

- (X) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval. For additional information contact Mr. Jesse Butcher at 494-3970.
- () Prior to new installation of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

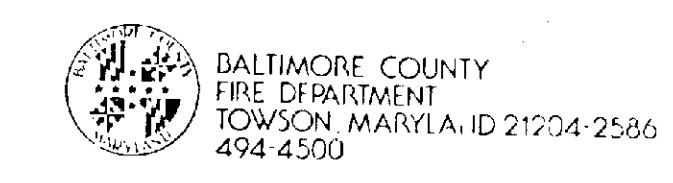
SS 20 1082 (1)

Zoning Item # 426 Zoning Advisory Committee Meeting of May 27, 1986
Page 2

- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted.
 - () The results are valid until _____.
 - () Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
 - () shall be valid until _____.
 - () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others _____

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

June 3, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Taco Bell Corp.

Location: NE corner Eastern Blvd. & Stuart Avenue

Item No.: 426 Zoning Agenda: Meeting of May 27, 1986

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- (X) 7. The Fire Prevention Bureau has no comment at this time.

REVIEWER: John F. O'Neill Noted and Approved: John F. O'Neill
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

July 9, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 426 Zoning Advisory Committee Meeting are as follows:

Property Owner: Taco Bell Corporation

Location: NE Corner Eastern Blvd. and Stuart Avenue

District: 15th

APPLICABLE CODES ARE CITED:

- (A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, "The Maryland Code for the Building and Appliance (A.B.S.I. #117-1-1980) and other applicable Codes and Standards.
- (B) A building and other miscellaneous permits shall be required before the start of any construction.
- (C) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- (D) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- (E) All Use Groups except R-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party exterior wall within 3'-0" of an interior lot line.
- (F) The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
- (G) The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- (H) When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Use _____. See Section 312 of the Building Code.
- (I) The proposed project appears to be located in a Flood Plain, Flood Hazard Area. Please see the attached copy of Section 615.0 of the Building Code as adopted by Bill #17-85. The plans shall show the correct elevations above sea level for the lot and the finished floor levels including basement.
- (J) Comments: Signs shall comply with Article 19 as amended.

These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 N. Chesapeake Avenue, Towson, Maryland 21204.

W/22/86

4/4/86
87-39-4